

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11359 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- RAMNAGAR District- West Champaran

MUKHTAR AHMAD @ MUKHTAR AHMAD ANSARI Son of Faruk Ansari Resident of Village- Basuka, Dildarnagar, P.S.- Zamania, District- Gazipur (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioner and the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Ramnagar P.S. Case No. 396 of 2021 registered for the offence under Sections-30(a)/33 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4200 liters of spirit is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the



present case. It is alleged that 4200 litres of spirit is recovered from a truck. The petitioner is said to be owner of the truck, in question. The truck in question is run as a public carrier. The petitioner had no knowledge regarding nature of goods kept on the truck. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 396 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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