

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22143 of 2021

Arising Out of PS. Case No.-560 Year-2020 Thana- RANIGANJ District- Araria

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AFTAB ALAM @ AFTAR ALAM @ AFTAB Son of Mustakim Resident of
Village - Hasanpur Ansari Tola ward no. 14, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Mukesh Kumar Rana, learned
Advocate for the petitioner and the learned APP for the
State.

The petitioner seeks bail in anticipation of his
arrest in connection with Raniganj P.S. Case No. 560 of
2020 dated 11.12.2020 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

120.280 litres of liquor is said to have been
recovered from one Tata Sumo vehicle which stands in
the name of the petitioner.

Hence, his prosecution in the instant case.

Learned counsel for the petitioner has
submitted that he had given his car, for being plied
commercially, to his driver, who actually has played



truant.

Learned counsel for the petitioner has further submitted that he is a person of clean antecedent and was absolutely unaware of the fact that his vehicle was used for unauthorized purpose of transporting liquor.

On these two grounds, it has been urged on that the offence under the Excise Act cannot at all be said to have been made out against the petitioner.

For the reasons aforestated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Raniganj P.S. Case No. 560 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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