

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23432 of 2021

Arising Out of PS Case No.-524 Year-2020 Thana- GOVT. OFFICIAL COMP. District- Gaya

ABID @ MD ABEED @ MD ABED S/O MD RAMJAN R/o Mohalla- Abal,
P.S.- Chatra, District- Chatra (Jharkhand) Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.A.PP.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Excise Case No. 524/2020 instituted for the offence under
Sections 30(a), 56(b) of Bihar Prohibition and Excise Act,
2016.

The prosecution case relates to recovery of 1050 litres
of illegal country made liquor from a vehicle of co-accused.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the co-accused, namely, Shanwaz Khan, who was arrested on spot, which has no evidentiary value in the eye of law. The petitioner has no concern with the alleged vehicle from where the recovery of liquor has been made.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise Case No. 524 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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