

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14182 of 2022

Arising Out of PS. Case No.-506 Year-2021 Thana- DAUDNAGAR District- Aurangabad

MUMTAJ @ MASTAN @ MD. MUKHTAR ANSARI @ MD. MUKTAR ANSARI SON OF SAFIQ R/O - LALKUTTA PALLHARI, GURUDIH, GOMIA, STATION ROAD, P.S.- I.E.L., GUMIA, DISTRICT- BOKARO, JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Daudnagar P.S. Case no. 506 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Prosecution case relates to recovery of 481.2 litres of illicit liquor from the vehicle of the petitioner and driver of the said vehicle was arrested on spot.

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. In para 7 of the



petition, it is mentioned that accused Manoj Kumar Yadav, driver of the vehicle stated that the said wine was brought by accused Dhanraj Srivastava, who managed to escape. Petitioner has no concern with the alleged recovery. The name of the petitioner has been disclosed in this case only on the basis of his ownership of the vehicle. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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 Daudnagar P.S. Case no. 506 of 2021, 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 District & Sessions Judge 9th cum-Special Judge, Excise, 2nd, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by



the learned court below on showing receipt of deposit of Rs.
50,000/- (Rs. Fifty Thousand only) by the petitioner in the
account of DLSA, Aurangabad.

(Sunil Kumar Panwar, J)

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