

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.17171 of 2022**

Arising Out of PS. Case No.-28 Year-2022 Thana- MADANPUR District- Aurangabad

Imran @ Imran Ansari Son of Jashmuddin Ansari Resident of Village-  
banjari, Bhaththi, P.S.- Hariharganj, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      08-07-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Madanpur P.S. Case No. 28 of 2022 registered for the offence  
under Sections 279, 188 and 427 of the Indian Penal Code and  
Sections 30(a) and 33 of Bihar Prohibition and Excise  
(Amendment) Act, 2018.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 22.01.2022.

The allegation against the petitioner is to involve in  
the illegal trading of illicit liquor, where 525 liters of spirit was  
recovered from a vehicle.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced in this case, only for the simple reason that petitioner was sitting in a hotel with co-accused, namely, Md. Ashif, whose name surfaced on the basis of confessional statement of co-accused, namely, Vishal Choudhary. It is submitted that nothing incriminating recovered from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the recovery is not from the physical possession of the petitioner, as per F.I.R.

Considering the facts and circumstances as mentioned above, as recovery is not from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madanpur P.S. Case No. 28 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge, Excise-I, Aurangabad, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Md. Jasmuddin Ansari, who is the father of the petitioner and deponent of the present bail petition.”

**(Chandra Shekhar Jha, J)**

Ankit/-

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