

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29379 of 2022

Arising Out of PS. Case No.-248 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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DILSHAD HUSSAIN SON OF NAVI AHMAD R/O VILLAGE- KAJI
TOLA, P.S.- G.B.NAGAR, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-09-2022 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 G.B. Nagar P.S. Case no. 248 of 2020 instituted for the offence under Sections 272, 273, 308 of the Indian Penal Code and Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 65 litres country made liquor from a motorcycle of the petitioner.

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. Petitioner has no



concern with the alleged recovery or with the vehicle in question. Petitioner is a handicapped person. Petitioner has sold the alleged motorcycle to Allauddin in the year 2016 and affidavit in this regard is annexed as Annexure-2 to the petition. 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 G.B. Nagar P.S. Case no. 248 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 Special Excise Court No.1, Siwan, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

sushma/Aman

(Sunil Kumar Panwar, J)

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