

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52909 of 2021**

Arising Out of PS. Case No.-133 Year-2021 Thana- DHANARUA District- Patna

1. HAKIM ANSARI SON OF EMAMUDDIN ANSARI RESIDENT OF VILLAGE- SUMALIYA, P.S.-RATU, DIST-RANCHI (JHARKHAND)
2. ASRAF KHAN SON OF AASHIK KHAN RESIDENT OF VILLAGE- ELAHI NAGAR, P.S. - JAGANNATHPUR, DIST - RANCHI (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      11-03-2022                      Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under section 30(a), 36 and 41 (I) (ii) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 1268.475 litres and 1549 litres of IMFL were recovered from different vehicles being driven by the petitioner no. 1 and 2 respectively.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession or from their vehicles. They have been falsely implicated in the case. They are in custody since 23.5.2021 and



have no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioners not having any criminal antecedent, the petitioners are directed to be enlarged on bail in connection with Special Case no. 3237 of 2021 (arising out of Dhanarua P.S. Case no. 133 of 2021) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna on the following conditions:-

(I) One of the bailors of the two petitioners shall be a close relative of the petitioners.

(II) The other bailors of the petitioners shall be resident of a place within the jurisdiction of the learned trial court.

**(Partha Sarthy, J)**

Spd/-

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