

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43170 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- DAGARUA District- Purnia

MD SHAHID ANSARI Son of Anwar Ali @ Anwar Ansari Resident of
Village - Chakni, P.s.- Sursand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Dagarwa P.S. Case No. 181 of 2022 registered for the offences
punishable under Sections 272, 273 of the I.P.C. and Sections
30(a), 41, 47 of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery
of 223.95 litres foreign liquor from the bus in question. The
petitioner along with other co-accused was apprehended on
spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 20.06.2022 and bears no criminal



antecedent. Learned counsel further submits that nothing recovered from the conscious possession of the petitioner and he has falsely been implicated in this case.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, also taking into consideration the material available on record, let the petitioner above named be released 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 Exclusive Special Excise Judge, Court No. 1, Purnea in connection with Dagarwa P.S. Case No. 181 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Alok Kumar Pandey, J)

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