

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 48275 of 2022**

Arising Out of PS. Case No.-71 Year-2020 Thana- SIWAN CITY District- Siwan

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Akhatar Ansari Son Of Late Isarail Ansari R/O Village- Adari, P.S.- Ghosi,  
District- Mau (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arbind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      18-11-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with  
Siwan City P.S. Case No. 71 of 2020 lodged under Section 30(a)  
of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, total recovery of 725.76  
liter wine is subject matter of the present case.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that petitioner is in custody since 12.02.2020 (Due to  
inadvertence, it has been typed 12.02.2022) having clean  
antecedent. He also submits that the said recovery was not made

from his possession and it was recovered from the backside of the college campus.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge – II- cum – Spl. Judge, Excise, Siwan in connection with Siwan City P.S. Case No. 71 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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