

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54786 of 2022

Arising Out of PS. Case No.-274 Year-2021 Thana- BAISI District- Purnia

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ZAMALUDDIN ANSARI @ ZAMLUDDIN ANSARI Son of Sahin Ansari
Resident of Satali P Garden, P.S- Hasimara, Dist- Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a), 41 and 47 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 837 liters liquor from a Bolero pickup van.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated as he is owner of the alleged vehicle, it is next submitted that no prudent man would use his own vehicle for



committing an illegality and thus create evidence against himself, it is also submitted that the petitioner came to be implicated based on the confessional statement of Md. Mainuddin Ansari and Kundan Basfod who had taken his vehicle and as such he was completely unaware that they would misuse his vehicle.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baisi P.S. Case No. 274 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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