

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13567 of 2023**

Arising Out of PS. Case No.-726 Year-2022 Thana- NAUBATPUR District- Patna

Jawed Ansari @ Md Jawed Ansari Son of Jahangir Ansari R/o 106, Bishunpur  
Dhanbad, Jharkhand 828130

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance:**

For the Petitioner/s : Mr. Priyadarshi Pankaj Raj Anand, Advocate  
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      05-05-2023      1.      Heard learned counsel for the petitioner and the learned  
APP for the State.
2.      Petitioner seeks regular bail in connection with Naubatpur  
P.S. Case No. 726 of 2022 dated 06.11.2022 registered for the  
offences punishable under Sections 414/34 of the Indian Penal  
Code and Sections 30(a), 32(i)(ii), 36 and 41(i) of Bihar  
Prohibition and Excise Act.
3.      The main submissions advanced by learned counsel for  
petitioner are that in the present matter a total of 351 litres of  
foreign liquor is stated to have been recovered from two  
vehicles namely, Maruti Alto and Tata Magic and petitioner is  
stated to be the driver of Alto car and as per allegation one co-  
accused Chotu Singh runs a syndicate in which several persons  
are members and at his direction the alleged activity of  
smuggling of wine was being done and when both the vehicles

were intercepted, the said Chotu Singh and his companion co-accused Gaurav Bhaiya managed to escape and petitioner who was driving the said Alto car was arrested but he was bonafidely discharging his duty as a driver in the said vehicle and he had no knowledge about the loaded prohibited articles and as per FIR there is no independent witness of the recovery of the alleged wine and the petitioner has fair and clean antecedent and has been languishing in jail since 07.11.2022 and against him the investigation has been completed. Further submissions are that two co-accused persons namely, Deepak Kumar and Ranjit Kumar Singh have been granted bail by different benches of this Court vide orders passed in Cr. Misc. No. 11552 of 2023 and Cr. Misc. No. 8076 of 2023 respectively and the case of this petitioner is completely identical to the said co-accused persons.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, the completion of investigation against him, his custody period and also the fact that he is stated to be the driver of one of the alleged vehicles and he has fair and clean antecedent and similarly situated two co-accused persons mentioned above are on bail, in my opinion,

it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Naubatpur P.S. Case No. 726 of 2022.

**(Shailendra Singh, J)**

Shahnawaz/-

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