

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45104 of 2023

Arising Out of PS. Case No.-380 Year-2022 Thana- OBRA District- Aurangabad

MD. BABAR ALI @ BABAR ALI @ MD. BABAR ANSARI S/O LATE
ABDUL MAHMOOD R/O Ward No. 3, Mohalla- Near Masjid, Mahua Tola,
Sohsarai, P.S- Sohsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of
total 100 liters of illicit liquor from a tempo bearing Registration
no. BR01PC-5355.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case. Petitioner has no concern with the alleged recovery
of illicit liquor or with the vehicle in question rather his name



was transpired in this case on the basis of disclosure made by co-accused namely, Anil Kumar who was apprehended on spot. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 26.5.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Obra P.S. Case No. 380 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-IIInd Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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