

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56067 of 2023**

Arising Out of PS. Case No.-79 Year-2021 Thana- KOCHAS District- Rohtas

Nasir Khan S/O Jhundey Khan Resident Of Chamrauwa, Ps. Shahjadnagar,  
Dist. Rampur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjay Kumar Patel

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      03-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 420, 120(B) of the Indian penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 7940.16 litres of IMFL from the truck of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery. Only because of the ownership, petitioner was made an accused in the present case. Neither the petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. Petitioner has sold the alleged truck to Murtaza Ansari by sale letter, annexed as Annexure-2 to this petition. He is languishing in judicial custody since 26.7.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 2, Rohtas in connection with Kochas P.S. Case No. 79 of 2021.

**(Sunil Kumar Panwar, J)**

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