

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66673 of 2023

Arising Out of PS. Case No.-759 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SHAUKAT ALI @ SHOKAT ALI Son of Md. Nazir @ Nazir Mohd Resident
of Dasanu Seela, P.S.- Reasi, District - Riyasi (Jammu and Kashmir)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Muzaffarpur Sadar P.S. Case no. 759 of 2023 registered under sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the tanker in question being stopped for search, the petitioner got down from the same and started to flee away but was apprehended.

4. It is submitted by learned counsel for the petitioner that the petitioner has no concern with the truck in question. He is a professional driver who was engaged to drive the said truck which was a vehicle carrying milk. He is in custody since 6.8.2023 and has no criminal antecedent.



5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the material on record it transpires that the petitioner was arrested from the spot while attempting to flee away from the tanker. On search being conducted and a portion of the backside of the tanker being cut with the help of a cutter machine, on search, 5159.88 litres of IMFL packed in 581 cartoons, was recovered.

7. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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