

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71266 of 2023

Arising Out of PS. Case No.-461 Year-2023 Thana- BUXAR District- Buxar

Md. Sajid Ansari @ Sajid Ansari, S/O Ali Muktja Ansari @ Md. Ali Murtaza Ansari, R/O Village- Chhotaki Nuaon, P.S- Chuasa (Muffasil), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Buxar (Town) P.S. Case No. 461 of 2023, registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about the petitioner bringing the illicit liquor on his E-Rikshaw and the said E-Rikshaw was intercepted and the petitioner and another person were apprehended from that E-Rikshaw. On search of the said E-Rikshaw, recovery of total 57.240 liters of India made foreign liquor was made.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner runs his E-Rikshaw and it was hired by co-accused and the petitioner has no idea what was being carried out by the co-accused. The petitioner has no concern with the allegedly recovered illicit liquor. So nothing incriminating has been recovered from the person/possession of this petitioner. The petitioner is in custody since 26.08.2023 and is having clean antecedent.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the clean antecedent of the petitioner along with his period of custody, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.-1, Buxar, in connection with Buxar (Town) P.S. Case No. 461 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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