

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70227 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- BALTHAR District- West Champaran

AINULLAH ANSARI S/o Ish Mohammad Miyan R/v- Gauripur, P.S.-
Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Balthar P.S. Case No.70 of 2022, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 63 litres of Nepali country made liquor from the hut in question and the accused persons including the petitioner herein, were arrested by the police, while they were trying to flee away from the spot.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 13.06.2022. The learned counsel for the petitioner has further submitted by referring to paragraph no.7 of the present petition that the hut in question, does not belong to the petitioner, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that the petitioner is not stated to be owner of the hut in question, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, West Champaran at Bettiah in connection with Balthar P.S. Case No.70 of 2022.

(Mohit Kumar Shah, J)

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