

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73001 of 2023**

Arising Out of PS. Case No.-247 Year-2023 Thana- VIJAYEPUR District- Gopalganj

BIGAN ANSARI SON OF LATE KHALIL ANSARI RESIDENT OF  
VILLAGE- BIRWAT PS- VIJAIPUR, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-11-2023                      Heard the parties.

2. The petitioner is in Judicial custody in connection with Vijaipur P.S. Case No. 247 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, lodged on 18.08.2023 by the informant, Bimlesh Kumar.

3. As per the prosecution story, the police intercepted a motorcycle and recovered / seized 20.800 litres of country-made liquor from the bag which was kept on a motorcycle having no registration number. The accused persons tried to escape but were apprehended. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that he does not own motorcycle neither had anything to do with the bag and though he has been dragged in the case, nothing has been recovered form his conscious possession and he is in custody



since 19.08.2023 (para 9 of the petition).

5. Learned APP opposes the prayer for bail

6. Considering the submission put forward by learned counsel for the petitioner and the period of custody, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Court-II, Gopalganj, in connection with Vijaipur P.S. Case No. 247 of 2023, subject to following conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself,

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,  
failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds:

(v) the petitioner shall desist from committing any  
criminal offence again failing which the State shall be at liberty  
to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

sanjeev/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

