

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52773 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- PHULWARIYA District- Gopalganj

Ashik Ansari @ Aasik S/O Nurmohammad @ Nurmohammad Miyan R/O
Village-Sisai(Mathiya),P.S.-Bhore, Distt-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 220-07-20241. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Phulwariya P.S. Case No. 110 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 342 litres
of liquor was recovered from Bolero car.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot. No incriminating
article has been recovered from the conscious possession of the
petitioner. Learned counsel further submitted that petitioner is



neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted bail by this Bench vide order dated 08.05.2024 passed in Cr. Misc. No. 35033 of 2024. The petitioner is in custody since 13.06.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwariya P.S. Case No. 110 of 2024.

(Rudra Prakash Mishra, J)

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