

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63768 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- SRIPUR District- Gopalganj

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1. Aata Ansari Son of Nijamuddin Ansari Resident of Village - Patri Tilak Rai,
P.S. - Patherwa, District - Kushinagar (U.P.)
 2. Ashma Khatoon @ Asma Khatoon Wife of Jawed Khan @ Javed Khan
Resident of Village- Nawalpur, P.S.- Salempur, Distt.- Deoria (U.P.)
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-09-2024 Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Sripur P.S. Case No. 88 of 2024, registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, on a secret information, the informant along with other police personnel apprehended the petitioner and two other persons with a car. Thereafter, in course of search, total 432.720 litres foreign liquor has been recovered from the seat and *dikky* of the car.

4. Learned counsel for the petitioners has submitted that the petitioner are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. He has further submitted that on



exactly similar footing, co-accused Rajesh Yadav has been granted bail by this Court in Cr. Misc. No. 58315 of 2024. The petitioner are under custody since 09.06.2024.

5. On the other hand, learned APP has opposed the prayer for bail.

5. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge Excise-I, Gopalganj in connection with Sripur P.S. Case No. 88 of 2024, subject to the condition that the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

6. Before release, the learned court below shall verify the criminal antecedents of the petitioners and if they are found involved in any case other than the case as mentioned in para-3 of the bail petition, their bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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