

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35601 of 2020

Arising Out of PS. Case No.-172 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Mohammad Gulab Ansari @ Md. Gulab Ansari son of Md. Firoj Ansari R/o
Village- Karamganj, P.S.- Laheriya Sarai, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Shama Sinha, Advocate

For the Opposite Party : Mr. Upendra Kumar A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

Petitioner seeks bail in a case registered for the offence
punishable under Section 30a of the Bihar Prohibition and
Excise Act.

104.940 liter of foreign liquor is alleged to have been
recovered from Tata Indica car in which the petitioner along
with other co-accused was travelling.

Learned counsel appearing for the petitioner submits
that the petitioner is not the owner of the vehicle and was just
travelling in the vehicle. No incriminating material has been
recovered from the conscious possession of the petitioner and he
has nothing to do with the alleged recovery. Petitioner has got



no criminal antecedent. Charge sheet has also been filed in the case. Petitioner is in custody since 16.7.2020.

Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum Special Judge, Excise Act Gopalganj in Excise case no. 172 of 2020, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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