

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54078 of 2017**

Arising Out of PS. Case No.-214 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

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Md. Zafar Alam @ Zafar Alam, son of Hasmuddin Ansari, resident of village-  
Isri Bazar, Police Station-Nimiya, District-Giridih, State-Jharkhand

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr. None.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2     09-11-2017             Heard Sri Raghunandan Kumar Singh, learned counsel for  
the petitioner. None appeared on behalf of the State.

The sole petitioner, apprehending his arrest in Sasaram(M)  
P.S. Case No.214 of 2017 registered for the offence under  
Sections 30(a), 38(1)(2), 41(1)(2) of the Bihar Prohibition and  
Excise Act,2016 and Sections 33, 41, 42 of the Indian Forest  
Act,1927, has prayed for grant of bail, in the event of his arrest  
or surrender.

It was submitted by learned counsel for the petitioner that  
save and except the fact that the petitioner is a registered owner  
of the vehicle in question, there is no other incriminating  
material against the petitioner to connect him in the present  
case. He further submits that he is owner of the vehicle, which is  
a public carrier and without any knowledge or consent of the



petitioner, it appears that the driver was indulged in loading illegal stone chips and liquor. However, by way of referring to the seizure list i.e. at page-13, i.e. enclosure of the F.I.R., learned counsel for the petitioner submits that in the seizure list, it has been indicated that the truck, bearing Registration No.BR-02P/9998 was loaded with stone chips and liquor, but nothing has been indicated as to what was the quantity of the liquor, whereas in respect of ten motorcycles, which were shown to be seized, it was indicated that on those motorcycles there were liquor. In sum and substance, it has been submitted that the petitioner has been made accused only on the ground that he is a registered owner of the vehicle, otherwise there is no other material. Learned counsel for the petitioner, by way of referring to the statement made in paragraph-3 of the petition, submits that the petitioner is having clean antecedent.

Considering the facts and circumstances as well as clean antecedent of the petitioner, let the petitioner, namely, Md. Zafar Alam@ Zafar Alam, in the event of his arrest or surrender within six weeks from today, 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram(M)



P.S. Case No.214 of 2017, subject to conditions as laid down in  
Section 438(2) of the Code of Criminal Procedure.

**(Rakesh Kumar, J)**

nawalkrs/-

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