

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6607 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -GANGTA District- MUNGER

=====

1. Md. Shamshad, son of Md. Shafi Alam, resident of Topkhana Bazar,
P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and the State.

Petitioner is in custody in connection with Gangta
P.S. Case No. 49 of 2016 registered under section 30(A) of the
Bihar Excise (Amendment) Act, 2016.

Allegation is that the Police apprehended two
vehicles; one ambassador and another Sumo. Specific allegation
against the petitioner is that he was sitting in Ambassador car and
from the dickey of the vehicle, 185 bottles of Imperial Blue
foreign liquor each containing 180 ml., 40 bottles of Old Monk
foreign liquor each containing 180 ml. and country made liquor of
63 liters were recovered.

It is submitted that recovery is not from the conscious
possession of the petitioner. He was a passenger of the



Ambassador vehicle. Neither the vehicle was being driven by the petitioner nor he is owner. He has got clean antecedent and the driver of the vehicle was granted bail by a coordinate Bench of this Court.

Considering the said facts and circumstances, the petitioner, namely, Md. Shamshad is directed to 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 Judicial Magistrate 1st class, Munger in connection with Gangta P.S. Case No. 49 of 2016.

(Arun Kumar, J)

S.Sb/-

U		T	
---	--	---	--

