

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8083 of 2018

Arising Out of PS.Case No. -605 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

- =====
1. Md. Abdullah, S/o Md. Alam, R/o Village- Gangjalal, P.S.+ District- Saharsa.
 2. Sonu Kumar Sah, S/o Harendra Sah @ Hare Ram Sah, R/o Village- Santnagar, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 15-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in Jagdishpur P.S. Case No. 605 of 2017 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

372.600 liters of country made liquor and 8.640 liters of foreign liquor is said to have been recovered from the Safari vehicle and its driver, namely, Md. Abdullah (petitioner no.1) and one other accused, namely, Sonu Kumar Sah (Petitioner no.2) were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the



conscious physical possession of the petitioners. They have been falsely implicated in this case. Petitioner no.1 happens to be the driver of the said vehicle and had no knowledge of keeping the liquor in the carton loaded in the said vehicle. He was simply transporting the said cartoon on the instructions of its owner, petitioner no.2 is the village boy of petitioner no.1 and was given lift in the said vehicle by the petitioner no.1. They have no concern with the seized liquor. They have no criminal antecedent. They have been languishing in custody since 20.12.2017. .

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, Bhagalpur in connection with Jagdishpur P.S. Case No. 605 of 2017.

(Prakash Chandra Jaiswal, J)

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