

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36022 of 2018

Arising Out of PS. Case No.-253 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

=====

Md. Sajid, Son of Late Samiullah @ Late Md. Samiullah, Resident of Village-
Khoripakar, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Smt. Meena Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 18-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Case
no. C-2/253 of 2018 registered under Section 30(a) of the Bihar
Excise (Amendment) Act-2016.

1087.200 lts. of Nepali Saufi wine is said to have
been recovered from Mahindra Marshal and Hero Splendor
motorcycle and petitioner was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the vehicle in question. He has
been falsely implicated in this case by the police merely on



suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape abandoning aforesaid liquor laden vehicles seeing the police party. Neither in the seizure list nor in the prosecution report, it is mentioned as to from where the petitioner was apprehended. There is no compliance of Section 100 Cr.P.C. Petitioner has no criminal antecedent. He has been languishing in custody since 05.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Additional Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Case no. C-2/253 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

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

