

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38864 of 2018**

Arising Out of PS.Case No. -159 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-  
SAMASTIPUR

=====

MD. TAJUDDIN SAH, Md. Jajuddin, S/o Late Md. Majlum Sah, Resident  
of village-Belaun, P.S.-Bithan, District-Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mritunjay Kumar Advocate

For the Opposite Party/s : Md. Fahimuddin APP

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

02    03-07-2018                    Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered for the offence  
punishable under Sections 30 (a) and 38(i) of the Bihar Prohibition  
and Excise Act, 2016.

32 liters of country made liquor is said to have been  
recovered from the sale centre and petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no  
incriminating article has been recovered from the conscious  
physical possession of the petitioner. He has no concern either  
with the seized liquor or the place of recovery or any trade of  
liquor. He has been falsely implicated in this case by the  
personnel of Excise Department merely on suspicion while he was



passing through the place of occurrence at the time of occurrence.  
He has no criminal antecedent and has been languishing in custody since 23.05.2018.

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 District and Sessions Judge-IV-cum-Special Judge Excise Act, Samastipur in connection with Excise Case No.159 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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