

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50622 of 2018

Arising Out of PS.Case No. -246 Year- 2018 Thana -MURLIGANJ District- MADHEPURA

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Sanjeev Kumar Sah, Son of Kalo Sah, resident of village – Rahita Tola,
Ward No.1, P.S.-Murliganj, District – Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-08-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

40 litres of country made liquor is said to have been
recovered from the tempo and the petitioner who happens to be its
driver 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 with the tempo in question. He
happens to be simple commuter of the said tempo and was
travelling in it without any knowledge of keeping of the liquor in



it by its driver who managed to escape leaving the aforesaid liquor laden tempo seeing the police personnel. He has been falsely implicated in the case. There is violation of Section 100 Cr.P.C. Though two more cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 16.07.2018.

Considering the facts aforesaid, 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 A.D.J.-II cum Special Judge, Excise, Madhepura in connection with Murliganj P.S. Case No. 246 of 2018, Excise Case No. 438 of 2018.

(Prakash Chandra Jaiswal, J)

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