

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59753 of 2018

Arising out of P.S. Case No.-32 Year-2018 Thana- PARWALPUR
District- Nalanda

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Md. Niyaj Miyan Son of Md. Riyaj Miyan@Md. Riyaj Alam
Resident of Parwalpur, P.S. Parwalpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad, Advocate

For the Opposite Party/s: Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 290 litres of country-made liquor and 27.5 litres of foreign liquor was recovered from the marshal vehicle and one Sanjay Kumar who was apprehended at the place of occurrence had disclosed the name of the petitioner on the basis of which the petitioner has been implicated in this case. It is contended that the petitioner has no concern with the alleged illicit liquor. It is further



contended that he had no knowledge as to how and where illicit liquor was loaded on the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. It is stated in paragraph 3 of the bail petition that the petitioner is accused in four other cases of similar nature. It is urged that the petitioner is in custody since 16.07.2018.

Considering the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI-cum-Special Judge, Excise, Nalanda at Biharsharif in connection with Parwalpur P.S. Case No. 32 of 2018 with a condition that if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

In view of the antecedent of the petitioner, he would be required to appear before the Superintendent of Police, Nalanda within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the



aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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