

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12723 of 2018

Arising Out of PS.Case No. -221 Year- 2017 Thana -DAGARUA District- PURNIA

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Md. Sajahan @ Md. Sahajahan, son of Md. Mumtaj Ali @ Mumtaj, resident
of village Mizatpur, P.S. Chakulia, District Uttar Dinajpur (W.B.).

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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

02 06-03-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Special Excise Case
No.3160 of 2017, arising out of Dagaruwa P.S. Case No. 221 of
2017 registered under Section 272 and 273 of the Indian Penal
Code and Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

112.98 liters of foreign liquor is said to have been
recovered from the Bolero vehicle and petitioner and one another
accused Md. Mannan were 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 been
falsely implicated in this case. He happens to be driver of the said



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vehicle and has no concern with the seized liquor. The seized liquor is hailing to one Md. Mannan who was transporting it by the said vehicle. He has no criminal antecedent. He has been languishing in custody since 28.12.2017. The said Md. Mannan has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.11193 of 2018 vide order dated 27.02.2018.

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 Special Judge Excise, Purnea in connection with Special Excise Case No.3160 of 2017, arising out of Dagarua P.S. Case No.221 of 2017.

(Prakash Chandra Jaiswal, J.)

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