

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44632 of 2018

Arising Out of PS.Case No. -188 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

- =====
1. Md. Sahjad @ Md. Sajjad, Son o Md. Hasim, Resident of Village-
Khirodharpur, Fatwh, P.S.- Khusrupur, District- Patna
 2. Bhuneshwar Row, Son of late Lalan Raw, Resident of Village-
Ahrauliya, P.S.- Chautarba, District- West Champaran.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

=====

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

2 24-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered for the offence punishable under Sections 30 (a) and 56(d) of the Bihar Prohibition and Excise Act, 2016.

161.1 liters of foreign liquor is said to have been recovered from the dickey of the Honda Car. The petitioner no.1-Md. Sahjad @ Md. Sajjad who happens to be driver of the said vehicle and petitioner no.2-Bhuneshwar Row sitting on the front seat beside the driver were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious



physical possession of the petitioners. They have no concern with the seized liquor. The petitioner no. 1 happens to be driver of the vehicle while petitioner no.2 is a simple commuter. Petitioner no. 1 Md. Sahjad @ Md. Sajjad was plying the said car and petitioner no. 2 was sitting on the front seat of the car and they had no knowledge of keeping of the said liquor in the dickey of the said car by its owner. They have been falsely implicated in this case at the instance of their enemy. They have no criminal antecedent and have been languishing in custody since 24.05.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Gaya in connection with Excise Case No.188 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Uday

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

