

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25000 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -PHULWARI District- PATNA

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Sadam Hussain Son of Sri Shamsuddin Resident of Village Janipur,
Murgiyachak, P.S. Janipur, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 01-05-2018 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)(b)(c) and 37(c) of the
Bihar Prohibition and Excise Act, 2016.

60 litres of country made liquor is said to have been
recovered from beneath the seat of the tempo and three accused
persons sitting on the vehicle including the petitioner 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 no concern
either with the seized liquor or with the vehicle in question. He



happens to be simple commuter and he had no knowledge of keeping of the aforesaid liquor beneath the seat. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 22.01.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 543 of 2018 arising out of Phulwarishariff (Janipur) P.S. Case No. 43 of 2018.

(Prakash Chandra Jaiswal, J)

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