

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8601 of 2019

Arising Out of PS. Case No.-691 Year-2018 Thana- NARPATGANJ District- Araria

1. SAJJAD @SAJJAD ALAM @ Sajjad amd, aged about 22 years (M), Son of Md. Murtaza @ Jhumar @ Murtaja Jat
2. Md. Asid @ Md. Wasim @ Wasim, aged about 25 years (M), son of Karimuddin
Both are Resident of Village-Pathraha, P.S.- Ghurna O.P., District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Narpatganj (Ghurna) P.S. Case No. 691 of 2018, Special Case No.1532 of 2018, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case on the basis of the statement of the co-accused. It is alleged that when the motorcycle in question was intercepted and was searched police recovered 270 bottles each of 300 ml Nepali made illicit wine



from three Jute bags loaded on the back seat of the motorcycle. Learned counsel submits that the petitioners have made specific statement in paragraph 7 of the application that the petitioners have no concern with the seized motorcycles bearing Reg.No.BR38L-6323 and Reg. No.BR50D-6454 and the recovered illicit wine. It is submitted that the petitioners have no criminal antecedent.

Learned APP for the State has though opposed the prayer for anticipatory bail, however, considering the specific statement of the petitioners that they have no concern with the motorcycle in question and that they have no criminal antecedent, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Narpatganj (Ghurna) P.S. Case No. 691 of 2018, Special Case No.1532 of 2018, subject to the condition that petitioners shall make themselves available for interrogation by the Investigating Officer within a period of two weeks from today and in case the investigating officer finds that



there are materials to support that the motorcycles belong to these petitioners, he will be at liberty to file an application for cancellation of bail. The petitioners shall abide by the conditions prescribed under Section 438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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