

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80723 of 2018

Arising Out of PS. Case No.-148 Year-2018 Thana- MAHISHI District- Saharsa

Sajjan Kumar Rajak Son of Furfuri Rajak Resident of Village - Shahpur, P.S.-
Sonbarsa Raj, District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi
For the Opposite Party/s : Mr.Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Special (Excise) Case No.
347/2018, arising out of Mahishi P.S. Case No. 148/2018,
instituted for offence under Section(s) 30(a), 38(i) and 41(i) of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
F.I.R. has been lodged against unknown.

It is alleged in the written report that during patrolling
duty, informant saw a white colour Pick-up Van standing on
Koshi Bandh road in suspicious condition, which was covered
with Tripal. On search, informant found several bottles of
foreign liquor, as mentioned in detail in the written report,
loaded on the aforesaid Pick-up Van. Some papers were also



recovered from the aforesaid vehicle, from which it appeared that owner of vehicle was one Chandan Sah. Driver of the vehicle had fled away.

It is mentioned in para 3 of bail petition that one another case under Excise Act is pending against this petitioner, in which he is on bail.

Learned counsel for the petitioner has submitted that petitioner has been arrested during investigation. He was driver of aforesaid Pick-up Van. He had no knowledge about aforesaid liquor seized from the Pick-up Van.

Petitioner is in custody since 03.11.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 2nd Addl. Sessions Judge-cum-Special Judge (Excise Act), Saharsa in connection with Special (Excise) Case No. 347/2018, arising out of Mahishi P.S. Case No. 148/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will file affidavit at the time of release that he would not indulge himself in such type of activity in



future. In the event, he is found indulged in such type of activity,
his bail bond will liable to be cancelled.

(Sanjay Priya, J)

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