

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41262 of 2019**

Arising Out of PS. Case No.-49 Year-2019 Thana- ASHOK PAPER MILL District-
Darbhanga

TAHIR SHEKH @ MD. TAHIR SHEIKH Son of Shekh Mohammad
Resident of Village - Jhariya, P.S.- Jhariya, Distt - Dhanbad, State -
Jharkhand.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad

For the Opposite Party/s : Mr. Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

2 10-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Ashok Paper Mill
(Darbhanga) P.S. Case No. 49/2019, G.O. Case No. 427/2019,
instituted for offence under Section(s) 30(a), 41(1) and 32(2) of
the Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that on getting secret
information police party reached at the place of occurrence and
intercepted a Pick-up Van. Seeing the police party accused
persons started running away but on chase two persons were
apprehended, who disclosed their name as Dev Kumar
Choudhary and the petitioner. On search total 333 litres of illicit
liquor was recovered from the Pick-up Van. It is further alleged



that at the instance of petitioner and other co-accused, police raided the house of Jaykant and Raghunath and recovered 25 cartons each containing 600 bottles of foreign liquor.

Learned counsel for the petitioner has submitted that petitioner has no concern either with the aforesaid Pick-up Van or with the recovered illicit liquor rather the same belongs to Govind Sah and Raushan Kumar Yadav.

Co-accused Jaykant Kumar Yadav has already been granted bail by a Co-ordinate Bench of this Court vide order dated 01.07.2019 passed in Cr. Misc. No. 40292/2019.

Petitioner is in custody since 03.05.2019.

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 A.D.J.-cum-Special Judge, Excise, Darbhanga, in connection with Ashok Paper Mill (Darbhanga) P.S. Case No. 49/2019, G.O. Case No. 427/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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