

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11224 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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SABIR SHEIKH @ SABIR SK Son of Faju Sheakh, Resident of Village -
Bangaria, Bhola Danga, P.S.- Nakasipama, District - Nadia (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 29-05-2020 Heard learned counsel for the petitioner and learned
counsel for the State through virtual court proceeding.

In this case, the petitioner is seeking regular bail in connection with Excise Case No.01/2020 arising out of Special Case No.31/2020 registered for offence punishable under sections 30 (a), 32 (3), 33, 38 and 41 of the Bihar Prohibition and Excise Act.

The police has intercepted a six wheeler truck bearing Registration No. WB51C-0621 and after search, recovered huge quantity i.e. 8000 litres of liquor from the said vehicle.

Learned counsel for the petitioner submits that the petitioner is a driver having no criminal antecedent and he was not knowing what material was loaded in the vehicle, but the



explanation furnished does not appear to be sound. If such quantity of liquor is being loaded by loader and is carried out by driver, they know all. It is a huge quantity of liquor is being carried out for the purpose of illegal sale in the State of Bihar. However, the learned counsel for the petitioner submits that the petitioner has wrongly been charged under section 38 of the Bihar Prohibition and Excise Act.

Charges can be altered by any stage.

In such view of the matter, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, he may renew his prayer for bail after one year.

(Shivaji Pandey, J)

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