

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23991 of 2020

Arising Out of PS. Case No.-118 Year-2020 Thana- MANJHAGARH District- Gopalganj

ID MOHAMMAD @ ED MOHAMAD Son of Mohammad Mustafa R/o
Village- Devapur Akil Tola, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2020 Heard Mr. Vyas Kumar Mishra, learned counsel for
the petitioner and Mr. Jharkhandi Upadhyay, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Manjhagarh PS Case No. 118/2020 registered for the offence
punishable under Sections 30(a), 41, 45 of Bihar Prohibition &
Excise Act 2016.

3. The allegation as per First Information Report is
that the police received confidential information that some
persons were carrying illicit liquor on a pickup van and were
going towards Jafartola from Bhojpurava. The police proceeded
towards the place of occurrence and saw that one Bolero
Vehicle was coming from Village, Bhojpurva and upon seeing
the police party, the driver and persons who were sitting in the
vehicle tried to flee away, but upon chase, the police



apprehended one person who disclosed his name Id Mohammad, i.e., petitioner. The police recovered total quantity of 1759.68 litres of illicit liquor from the pickup van.

4. Learned counsel for the petitioner submits that the petitioner has not committed offence in the manner alleged and from perusal of the FIR, it would be evident that the petitioner was intercepted with Bolero Vehicle whereas illicit liquor was recovered from the pickup van. Learned counsel further submits that petitioner is a driver of Bolero Vehicle and has got no concern with the vehicle from where illicit liquor has been recovered. Learned counsel also submits that petitioner has got no criminal antecedent and is under custody since 07.06.2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no recovery of illicit liquor has been made from the vehicle of which the petitioner is a driver and he is under custody since 07.06.2020, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, ID MOHAMMAD @ ED MOHAMAD be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District & Sessions Judge-II-
cum-Special Judge, Excise, Gopalganj in connection with
Manjhagarh PS Case No. 118/2020.

7. It is made clear that at the time of furnishing bail
bonds, all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

