

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30332 of 2020

Arising Out of PS. Case No.-324 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

Michal Disuza S/o Sukhdeo Mandal Resident of Village-Maheshpur, Aliganj,
P.S.-Babarganj, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2020 Heard the learned counsel for the petitioner
and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Jagdishpur P.S. Case No. 324 of 2019 dated 21.09.2019 instituted for the offences under Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

A vehicle was intercepted from where there has been recovery of liquor. The name of the petitioner has been shown in the FIR only on the basis of PAN Card and Aadhar Card of the petitioner having been found in the said vehicle. Assuming but not admitting, it has been argued, that those documents belonging to the petitioner were found in the car, that *ipso facto* will not be enough to suspect the petitioner of committing the



offence.

There is no recovery from his possession and only because of the aforesaid two documents, there is suspicion that the petitioner might have travelled in the car from where the recovery of liquor has been made.

The petitioner has clean antecedents.

Regard being had to the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IIInd-cum-Special Judge, Excise Act, Bhagalpur in connection with Jagdishpur P.S. Case No. 324 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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