

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35057 of 2020**

Arising Out of PS. Case No.-210 Year-2020 Thana- BODHGAYA District- Gaya

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1. SADDAM MIYAN @ SADAB ALAM S/o of Juman Miyan R/o Village- Charka Khurd, P.S.- Partappur, Distt- Chatra (Jharkhand).
  2. Sonu Alam Son of Ishmail Miyan R/o Village- Charka Khurd, P.S.- Partappur, Distt- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Raj Ballabh Singh

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      22-12-2020                      The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Sri Raj Ballabh Singh, the learned APP for the State.

The petitioners seek regular bail in connection with Bodh Gaya PS case no. 210 of 2020 instituted for the offences punishable under Sections 272, 273 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of illicit liquor from a Tata Magic vehicle and the petitioners were apprehended by the police.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. The learned counsel for the petitioners has further submitted that the Tata Magic vehicle in question does not belong to the petitioners herein.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the statement of the petitioners to the effect that the Tata Magic vehicle, from which illicit liquor has been recovered, does not belong to the petitioners as also considering the fact that they are having clean antecedent, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Bodh Gaya PS case no. 210 of 2020.

**(Mohit Kumar Shah, J)**

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