

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86120 of 2019

Arising Out of PS. Case No.-581 Year-2019 Thana- PURNEA SADAR District- Purnia

Sagar Khan, Son of Shamim Khan, Resident of Village - Nageshwar Bagh,
P.S.- Sadar, Distt - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Sadar
P.S. Case No. 581 of 2019, Special Case No. 961 of 2019,
registered under Sections 272 and 273 of the Indian Penal Code
and Section 30(A) of the Bihar Excise Act, 2016.

The accusation is of recovery of 22 bottles each
containing 750 ml, 12 bottles each containing 375 ml and 41
bottles each containing 500 ml and 87 tetra pack each
containing 180 ml Indian made foreign liquor from the tempo,
which was being driven by the petitioner.

Learned counsel for the petitioner submits that, in
fact, petitioner is tempo driver and one Chandan Pandit kept



sacks in his tempo with direction to carry the same at Purnea but he had no knowledge about keeping illicit liquor in the sacks. It is further submitted that petitioner has no criminal antecedent and is in custody since 14.11.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise), Purnea, in connection with Sadar P.S. Case No. 581 of 2019, Special Case No. 961 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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