

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12802 of 2022

Arising Out of PS. Case No.-370 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Sahjad Aalam @ Sahajad Alam @ Sahjad Alam @ Shahjad Alam, son of Md. Jalil @ Jaleel, resident of village-Sitabari Kurahawa, P.S.-Kushinagar (Kaseya), District-Kushinagar (UP).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through Video Conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Excise Case No. 370 of 2021 registered for the alleged offences under Sections 30(a) and 32 (3) of the Bihar Prohibition and Excise Act, 2016 and Amendment Excise Act, 2018.

Allegedly, the petitioner, driver of a four wheeler was apprehended with about 242 litres of India made foreign liquor.

The learned counsel for the petitioner submits that the petitioner is innocent and he has no knowledge about the consignment of his vehicle as he is not the owner. Nothing has recovered from the conscious possession of this petitioner. Even the witnesses of seizure list are all officials. The petitioner suffers from various ailments and he is in custody since 31.12.2021 having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge (Excise) Court-II, Gopalganj in connection with Excise Case No. 370 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive

dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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