

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69099 of 2021

Arising Out of PS. Case No.-153 Year-2021 Thana- JAMHOR District- Aurangabad

MD. MERAJ ALAM Son of Md. Rustam Resident of Village - Ajad Basti,
No. 8, Zakir Nagar P.S. - Mango, District - East Singhbhum, Jamshedpur,
Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Jamhore P.S. Case No. 153 of 2021 for the offence registered
under Sections 30(a), 30(c) and 33 of the Bihar Prohibition and
Excise Act, 2016.

The police force is stated to have intercepted a Bolero
pick up van and upon search 1800 litres of illicit spirit was
recovered. The petitioner, who is stated to be the cleaner of
Bolero pick up vehicle, was arrested from the spot.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing in
custody since 03.10.2021. The learned counsel for the petitioner
has further submitted that the petitioner is merely the cleaner of
the vehicle in question and he is neither the owner of the vehicle
in question nor that of the illicit spirit. It is also submitted that the
petitioner was not knowing about the freight loaded on the said



vehicle by the owner of the goods, hence he cannot be saddled with the liability of the illicit liquor recovered from the vehicle in question.

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 petitioner and taking into account the materials available on record as also considering the fact that the petitioner is the cleaner of the vehicle in question and not the owner apart from the fact that he is having a clean antecedent and is languishing in custody since 03.10.2021, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J-II-cum-Special Judge, Excise Act, Aurangabad in connection with Jamhor P.S. Case No. 153 of 2021.

(Mohit Kumar Shah, J)

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