

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12199 of 2023**

Arising Out of PS. Case No.-7 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

MD. SAHAJAD SON OF MD. KALIM R/O VILLAGE- MADANPUR,
WARD NO.09, P.S.- BIDUPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a), 32(i)(3) &41(1)
(2) of the Bihar Prohibition and Excise Amendment Act.

Prosecution case relates to recovery of 600 litres of
illicit liquor from a tempo and petitioner, who was driving the
said tempo was apprehended on spot after chase made by the
police.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Co-accused
Raushan Kumar is the registered owner of the said tempo and he



hired the petitioner as driver on monthly payment of Rs. 12,000/-. He has no concern with the alleged recovery or with the vehicle in question. He is languishing in judicial custody since 3.1.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Excise P.S. Case No. 07 of 2023.

(Sunil Kumar Panwar, J)

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