

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73068 of 2022

Arising Out of PS. Case No.-427 Year-2022 Thana- PHULWARIYA District- Gopalganj

Sartaj Ali @ Sartaj Son Of Saiyad Ali Resident Of Village - Ekderwa Mauje,
P.S.- Gopalganj, District - Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-05-2023 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) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 558 litres
of country made liquor from a Bolero bearing Reg. No.
BR-04E-7299. Petitioner is alleged to be driver of the
vehicle in question.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. Petitioner has no



concern with the alleged recovery. Charge-sheet has been submitted the present case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioner is driver of the aforesaid vehicle from which huge amount of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 A.D.J. II-cum-Special Excise Judge, Court No. 1, Gopalganj in connection with Phulwariya P.S. Case No. 427 of 2022.

The petitioner is directed to deposit a sum of



Rs. 30,000/-(Rupees Thirty Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 30,000/-(Rupees Thirty Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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