

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7026 of 2017

Arising Out of PS.Case No. -315 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Birendra Singh @ Birendra Kumar Singh, S/o Late Mahendra Singh, R/o
Village - Rasulpur, P.S. - Lalganj, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Vaishali P.S.
Case No.315 of 2016 registered under Sections 30(A), 32(2) and
41(1) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on search 672 bottles, each
containing 180 ml. Indian Made Foreign Liquor and 71 bottles,
each containing 750 ml. Indian Made Foreign liquor, were
recovered from the magic vehicle on which the petitioner was
found sitting.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner was neither the driver nor the owner of



the magic vehicle and he being the bonafide passenger of the magic vehicle has been apprehended by the police under misconception. The petitioner having no criminal antecedent is in custody since 06.12.2016.

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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Vaishali P.S. Case No.315 of 2016.

(Rajendra Kumar Mishra, J)

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