

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22405 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Kamlesh Rai Son of Lala Mohar Rai, Resident of Village- Doman Bigha,
P.S.- Agiaw, District- Rohtas (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-06-2017

Heard learned counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in
Aurangabad Muffasil P.S. Case No.193 of 2016 registered under
Sections 30(a) of the Bihar Excise (Amendment) Act.

Allegation in brief is that the police, on secret
information, recovered Bolero vehicle with illicit country made
liquor and three persons, namely, Raju Kumar Upadhyay, Sushant
Kumar Upadhyay and Madhurendra Pandey were leading the
said vehicle. On secret information, the police started checking
vehicles and found one Bolero Jeep and a Swift car coming in that
direction. Being signalled to stop those two vehicles the Swift car
escaped away but Bolero vehicle was apprehended by the police
and 2800 pouches country made liquor each containing 200 ml.



was recovered from the said vehicle.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not the owner of the Bolero vehicle; only a driver. He had no knowledge what material was kept in the vehicle and in fact the owners were sitting in the Swift car moving ahead his vehicle but escaped away, however, this petitioner has got no criminal antecedent and has no concern with this illicit liquor and has been in custody since 5.12.2016.

Having considered the said facts and circumstances, the petitioner, namely, Kamlesh Rai 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 C.J.M., Aurangabad in connection with Aurangabad Muffasil P.S. Case No.193 of 2016.

(Arun Kumar, J)

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