

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13337 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -DURAULI District- SIWAN

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Abhimanu Kumar, son of Laxman Singh, resident of village Siswa Khurd,
P.S. Mairwa, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 07-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Darauli P.S. Case No.
244 of 2017 registered under Section 30 (a), 38 (i) and 41 (i)
of the Bihar Prohibition and Excise Act, 2016.

267.840 liters of foreign liquor is said to have been
recovered from the Hyundai car and the petitioner who happens to
be its driver was apprehended while other accused persons
managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has been
falsely implicated in this case. He has no concern with the seized
liquor. The seized liquor is hailing to one Prince Kumar, the owner



of the vehicle. Petitioner had no knowledge of keeping of the said liquor in the vehicle by its owner. He has no criminal antecedent. He has been languishing in custody since 15.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise, Siwan in connection with Darauli P.S. Case No. 244 of 2017.

(Prakash Chandra Jaiswal, J)

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