

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35801 of 2018

Arising Out of PS.Case No. -250 Year- 2018 Thana -AGAMKUAN District- PATNA

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Bittu Kumar, Son of Ramayan Sah, resident of Village- Kamla Gopalpur,
P.S.- Maner, District- Patna at present Tenant of Mahendra Singh,
Ramlakhan Path, P.S.- Ramkrishna Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

80 litres of country made liquor is said to have been
recovered from the box made beneath the seat of the driver of the
tempo and the petitioner who happens to be driver of the said
tempo was apprehended.

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 no concern



with the seized liquor. He happens to be driver of the said vehicle and was plying the said vehicle without knowledge of keeping of the liquor in the box of the tempo by its owner. He has no criminal antecedent. He has been languishing in custody since 10.04.2018.

Considering the facts aforesaid, 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 Special Judge, Excise, Patna in connection with Special Case No. 3456 of 2018 arising out of Agam Kuan P.S. Case No. 250 of 2018.

(Prakash Chandra Jaiswal, J)

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