

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36957 of 2018**

Arising Out of PS. Case No.-299 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Sitamarhi

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Umesh Mahto, Son of Rambali Mahto, Resident of Village- Kanhauli, Ward  
No. 10, Police Station- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Madhubala Verma  
For the Opposite Party/s : Mr. Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

3      03-07-2018                      Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner seeks bail in connection with Case  
No. C2/299 of 2018 registered under Section 30(a) of Bihar  
Prohibition and Excise Act-2016.

135 lts. of Nepali Saufi Wine is said to have been  
recovered from Tata Indica car and petitioner who happens to be  
its driver was apprehended.

It is submitted by learned counsel for the  
petitioner that no incriminating article has been recovered from  
conscious physical possession of the petitioner. He has no  
concern with the seized liquor. He happens to be simple driver  
of the vehicle in question and was transporting the same as per



instruction of its owner without any knowledge of keeping of liquor in the said car by its owner. He has been falsely implicated in this case. He has no criminal antecedent. He has been languishing in custody since 21.05.2018.

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 A.D.J-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Case No. C2/299 of 2018.

**(Prakash Chandra Jaiswal, J)**

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