

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38568 of 2018

Arising Out of PS.Case No. -289 Year- 2018 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Sandip Sandilya son of Nirbhay Singh Resident of Village Kotwa, Police
Station - Kotwa, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Anant Kumar

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

02 02-07-2018

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 414/34 of the Indian Penal Code
and Section 30 (1) and 41 (1) of the Bihar Prohibition and Excise
Act, 2016.

93.75 liters of foreign liquor is said to have been
recovered from the car and the petitioner and its driver Santosh
Gupta were 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 either
with the seized liquor or the vehicle in question. As a matter of



fact, he happens to be a student of Aryabhat Computer Institute and 25 years old. He was pointing out the way to the driver of the said car and in the meantime police arrived there and apprehended the petitioner merely on suspicion. He has no criminal antecedent and has been languishing in custody since 23.05.2018.

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 Special Judge Excise, East Champaran at Motihari in connection with Nagar P.S. Case No.289 of 2018.

(Prakash Chandra Jaiswal, J)

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