

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41449 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Umesh Singh, Son of Vijay Kumar Singh, resident of village – Aamar
Chhatauni, P.S.-Chhatanuni, District-Motihari, East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Parmanand Kumar

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

ORAL ORDER

2 11-07-2018

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 30(a) of the Bihar Prohibition
and Excise Act, 2016.

180 litres of Nepali saufi wine is said to have been
recovered from the Maruti Car and the petitioner who happens to
be its driver was apprehended while its owner namely Harendra
Yadav 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 no concern
with the seized liquor. He has been falsely implicated in the case.



He was simply plying the aforesaid vehicle at the instruction of his owner and he had no knowledge of keeping of the aforesaid liquor in the said vehicle by its owner. Though two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. The petitioner has been languishing in custody since 25.04.2018.

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, Motihari in connection with Chhatauni P.S. Case No. 99 of 2018.

(Prakash Chandra Jaiswal, J)

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