

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42312 of 2018**

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Chhotak Paswan, Son of Nanhak Paswan @ Shiv Kumar Ram, Resident of  
Village- Koath, P.S. Dawath, District- Rohtas.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra

For the Opposite Party/s : Mr. Rana Randhir Singh

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

2      13-07-2018      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.

233.28 litres of foreign liquor is said to have been  
recovered from the 'tahkhana' hidden beneath the pile of bricks  
made in the trolley of the tractor and the petitioner who happens to  
be driver of the said tractor was apprehended while its owner Biru  
Chaudhary 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 happens to be simple driver of the tractor and was plying the same as per the instruction of his owner without knowing keeping of the liquor in the tractor hidden under the pile of bricks. He has no criminal antecedent. He has been languishing in custody since 24.05.2018.

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 Addl. Sessions Judge-II cum Special Judge, Excise Act, Buxar in connection with Prosecution Report Case No. 99(O)/2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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