

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41450 of 2018

Arising Out of PS. Case No.-440 Year-2018 Thana- MADHEPURA District- Madhepura

Shyam Kumar Chaudhari, S/o Late Heera Lal Chaudhari, R/o Village-
Rupnagar, Ward no. 40, P.S. and District-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Ashok Kumar

**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 connection with
Madhepura (O.P.-Parmanandpur) P.S. Case No. 440 of 2018
registered under Section 30(a) of the Bihar Prohibition and
Excise Act 2016.

13 lts. of foreign liquor is said to have been
recovered from dickey of the Alto 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 driving the same as per instruction of its owner without any knowledge of keeping of liquor in the dickey of the said car by its owner. He has no criminal antecedent. He has been languishing in custody since 19.06.2018.

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-III, Madhepura in connection with Madhepura (O.P.- Parmanandpur) P.S. Case No. 440 of 2018.

(Prakash Chandra Jaiswal, J)

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