

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42124 of 2018

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Tinku Giri, son of Banshi Giri, resident of Mohalla New Punaichak Boring
Canal Road, Patna, P.S. Sri Krishnapuri, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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

ORAL ORDER

02 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), 38 & 47 of the Bihar Prohibition
and Excise Act, 2016.

90 liters of foreign liquor is said to have been recovered
from the Scorpio vehicle kept in it in the cartoon and the petitioner
who happens to be driver of the said vehicle was 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 with the
seized liquor. The petitioner happens to be driver of the vehicle in
question and he had no knowledge of keeping the said liquor in
the vehicle. He was plying the vehicle at the instruction of his



owner without knowing the contents of the cartoon. He has no criminal antecedent and has been languishing in custody since 12.04.2018.

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, Gaya in connection with Barachatti P.S. Case No. 252 of 2018.

(Prakash Chandra Jaiswal, J)

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