

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44154 of 2018

Arising Out of PS.Case No. -93 Year- 2018 Thana -BUXAR INDUSTRIAL District- BUXAR

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Chandan Kumar Pandey, son of Sadhu Pandey, resident of village Sahupara,
P.S. Buxar (Ind.), District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 23-07-2018 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) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

172.800 liters of foreign liquor is said to have been recovered from the dicky of the Maruti Suzuki Zen car and petitioner who happens to be driver of the said car and other persons sitting in the said car 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 with the seized liquor. The petitioner happens to be driver of the vehicle in question and had no knowledge of keeping the said liquor in the



dicky of the vehicle by its owner. He was simply plying the vehicle at the instruction of his owner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 06.06.2018.

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.-II-cum-Special Judge Excise Act, Buxar in connection with Buxar (Ind.) P.S. Case No.93 of 2018.

(Prakash Chandra Jaiswal, J)

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