

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43599 of 2018

Arising Out of PS.Case No. -221 Year- 2018 Thana -FALKAHA District- KATI HAR

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1. Md. Asgar S/o Late Md. Abul @ Late Abdul R/o Navinagar, Athgama,
P.S. Falka, Distt - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 19-07-2018 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.

85 liters of country made liquor is said to have been
recovered from the possession of the four accused persons
travelling in the tempo while 1 liter from in front of the seat of the
driver.

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
either with the seized liquor. He happens to be the driver of the



said tempo and had no knowledge of carrying of the liquor by its commuter in the tempo. He has no criminal antecedent and has been languishing in custody since 13.06.2018.

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 A.D.J. 2nd –cum-Special Judge, Excise Act, Katihar in connection with Falka P.S. Case No. 221 of 2018.

(Prakash Chandra Jaiswal, J)

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