

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48387 of 2018

Arising Out of PS.Case No. -174 Year- 2018 Thana -HUSAINGANJ District- SIWAN

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1. Manoj Kumar Patel @ Manoj Kumar, Son of Shivji Prasad, Resident of Village- Chainpur Bazar, P.S.- Siswan (Chainpur O.P.), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 08-08-2018 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 Sections 272, 273 and 420/34 of the Indian Penal Code and Sections 30 (a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

375 ML of foreign liquor is said to have been recovered from the Waganor car and petitioner who happens to be its driver and two other accused sitting in the said car were apprehended in inebriated condition.

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 has been falsely implicated in this case by the police at the instance of his enemy. The petitioner happens to be driver of the car in question and he had no knowledge of keeping of the said liquor in the car by its commuter. He happens to be tee-totaler and had never consumed any liquor. Though one more criminal case has been lodged against him but he is on bail in the said case. He has been languishing in custody since 14.06.2018.

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, Siwan in connection with Hussainganj (M.H. Nagar) P.S. Case No. 174 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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