

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33900 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -MANJHI District- SARAN

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Satish Saroha Son of Hari Singh Resident of Village- Sisana, P.S.
Kharkhoda, District- Sonipat, Haryana.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273, 188 and 420 of the
Indian Penal Code and Sections 30, 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

10080 litres of foreign liquor is said to have been
recovered from a truck and the 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 the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. He happens to be driver of the truck in



question and he had no knowledge of keeping of the aforesaid liquor in the truck. He has no criminal antecedent. He has been languishing in custody since 28.04.2018.

Learned APP vehemently opposing the bail petition submitted that huge quantity of foreign liquor has been recovered from the truck and the petitioner happens to be driver of the said truck, so he had knowledge of keeping of the liquor in the truck. Hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order and S.P., Saran at Chapra is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., Saran at Chapra by fax for needful.

(Prakash Chandra Jaiswal, J)

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