

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51731 of 2018**

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

Manu Kumar S/o Late Satendra Singh @ Late Ravindra Singh, R/o Vill.-  
Churamanpur, P.S.- Buxar Industrial , Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh  
For the Opposite Party/s : Mr. Shyam Kumar Singh

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

ORAL ORDER

2     23-08-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in connection with Buxar Industrial P.S. Case no. 93 of 2018 registered for the offence punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

172.800 lts. of foreign liquor is said to have been recovered from the dicky of the Maruti Suzuki Zen car and its driver, namely, Chandan Kumar Pandey and petitioner sitting on the said car were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either



with the seized liquor or with the vehicle in question. He happens to be simple commuter of the said vehicle and was travelling on it without any knowledge of keeping of liquor in its dickey. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 06.06.2018. Driver of the said vehicle, namely, Chandan Kumar Pandey has been enlarged on bail by this Court vide order dated 23.07.2018 passed in Cr. Misc. no. 44154 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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, Buxar in connection with Buxar Industrial P.S. Case no. 93 of 2018.

**(Prakash Chandra Jaiswal, J)**

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