

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45705 of 2018**

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Bhola Prasad Keshri @ Bhola Keshri, Son of Sanjay Prasad Keshri @ Sanjay Saw, Resident of village – Phulsu, P.S.-Balu Math, District – Latehar (Jharkhand).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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

2      27-07-2018                      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(d) of the Bihar Prohibition and Excise Act, 2016.

200 Kg of Mahua flower is said to have been recovered from the back seat of the tempo 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 article. He happens to be simple driver of the said tempo and had no knowledge of keeping of the aforesaid article in the bag on the back seat of the tempo by its commuter who



managed to escape leaving the aforesaid bag in the tempo seeing the police party. He has been falsely implicated in the case merely on suspicion. He has no criminal antecedent. He has been languishing in custody since 05.06.2018.

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 Special Judge, Excise Act, Gaya in connection with Bodh-Gaya P.S. Case No. 345 of 2018.

**(Prakash Chandra Jaiswal, J)**

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