

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51472 of 2018**

Arising Out of PS.Case No. -158 Year- 2018 Thana -JOGBANI District- ARRARIA

=====

Kishan Rishidev S/o Vishundeo Rishidev R/o Village- Kushaha , P.S.-  
Simraha, District- Araria.

.... .... Petitioner/s

Versus

The State of Bihar

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

=====

**Appearance :**

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Dinesh 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 a case registered for the  
offence punishable under Sections 30(a) and 38(i) of the Bihar  
Prohibition and Excise Act, 2016.

15 litres of cough syrup is said to have been  
recovered from the motorcycle and petitioner sitting on the said  
motorcycle holding the bag was apprehended and driver of the  
said motorcycle managed to escape.

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 was travelling by the said motorcycle



taking lift from its driver, namely, Guddu Yadav on the way without knowledge of keeping of the aforesaid article in bag on the motorcycle. Said Guddu Yadav managed to escape leaving aforesaid article laden motorcycle there seeing the police personnel. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 12.06.2018.

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 2<sup>nd</sup> Additional Sessions Judge cum Special Judge, Araria in connection with Special Case No. 681 of 2018 arising out of Jogbani P.S. Case No. 158 of 2018).

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

