

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42359 of 2018

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Santosh Kumar @ Santosh, Son of Krishna Lal Yadav, resident of Village-
Koni Panchgachiya, P.S.- Nirmali, District- Supaul. At present resident of
Mohalla- N 86/J Lawrence Road Onkar Nagar, P.S.- Keshawpuram,
District- North West Delhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 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 Sections 272 and 273/34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

231 litres of foreign liquor is said to have been
recovered from the dickey and back seat of the car and the
petitioner who happens to driver of the said car was apprehended
while one Ram Sunder Sah managed to escape from the said car.

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 said car and was plying the same on hire by the accused Ram Sunder Sah without any knowledge of keeping of the liquor in the carton by the said accused who managed to escape leaving the aforesaid liquor seeing the police party. He has no criminal antecedent. He has been languishing in custody since 07.06.2018.

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 7th Addl. Sessions Judge cum Special Judge, Excise Act, East Champaran, Motihari in connection with Piprakothi P.S. Case No. 97 of 2018.

(Prakash Chandra Jaiswal, J)

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