

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50572 of 2018

Arising Out of PS.Case No. -642 Year- 2018 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Jitendra Mahto @ Jitendra Singh, S/o. Sri Bhagwan Singh @ Sri Bhagwan
Singh Mahto, R/o. Village- Dhaudar, P.S. Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rameshwar Singh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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

ORAL ORDER

2 16-08-2018 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 379, 411 and 414 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

153 litres of foreign liquor is said to have been
recovered from the Maruti Van and petitioner who is said 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 has been falsely implicated in this case.



He happens to be driver of the said vehicle and was plying it as per instruction of owner without knowledge of keeping of liquor in the carton in the said vehicle by its owner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 22.04.2018.

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 Additional District & Sessions Judge-II cum Special Judge, Excise, Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No.642 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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