

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48636 of 2018

Arising Out of PS.Case No. -93 Year- 2018 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Babloo Kumar S/o Late Kapil Yadav @ Prasad resident of village - Atbal
Chak, P.S. - Tharthari, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar Singh
For the Opposite Party/s : Mr. Ram Bachan Singh

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

2 09-08-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

60 litres of country made liquor is said to have been
recovered from the Tempo and its driver managed to escape while
the petitioner sitting in the said tempo 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
either with the seized liquor or with the tempo in question. He was



simply travelling in the said tempo without any knowledge of keeping of liquor in it by its driver who managed to escape leaving the aforesaid liquor laden tempo there seeing the police personnel. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 16.04.2018.

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 and Sessions judge No. VIth cum Special Judge, Excise Court, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 93 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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