**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.50993 of 2018**

Arising Out of PS. Case No.-115 Year-2018 Thana- GOVERNMENT OFFICIAL COMP. District- Gaya

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Chitranjan Yadav, Son of Late Rajdev Yadav, R/o Vill-Makhdumpur, P.S. Makhdumpur, Distt-Jehanabad.

... ... 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. Indra Kumar Singh

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

ORAL ORDER

2 20-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Excise Case no. 115 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

101.250 lts. of foreign liquor is said to have been recovered from secret box and gate of the Sumo Victa vehicle and 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 conscious physical possession of the petitioner. He has no concern with the seized liquor. He happens to be driver of the vehicle in

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question and was plying the same without any knowledge of keeping of liquor in the secret box and gate of the said vehicle by its owner. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 23.07.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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 Excise Case no. 115 of 2018.

**(Prakash Chandra Jaiswal, J)**

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