

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52672 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

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Nandan Kumar, S/o Bablu Prasad Singh, resident of village – Dumri, P.S.-
Nayagaon, District – Chhapra at present R/o Mohalla – Bikas Nagar, near
Gas Godown, Police Station – Digha, District – Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shilpi Keshri

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018

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.

81 litres of foreign liquor is said to have been
recovered from the dickey of the Indica car and the petitioner who
happens to be its driver and co-accused Sunny Kumar who
happens to be owner of the said vehicle were 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 happens to be driver of the said vehicle



and was plying it as per the instruction of its owner without any knowledge of keeping of the liquor in the 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 16.06.2018.

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 Addl. Sessions Judge-II cum Special Judge, Vaishali, Hajipur in connection with Ganga Bridge P.S. Case No. 88 of 2018.

(Prakash Chandra Jaiswal, J)

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