

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53076 of 2018

Arising Out of PS.Case No. -111 Year- 2018 Thana -GOPALPUR District- GOPALGANJ

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Sunil Paswan @ Pintu, S/o. Shyam Sundar Paswan, R/o. Village- Dumari
Swagipatti, P.S.- Hatta, District- Kushinagar (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Bharat Lal

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

2 28-08-2018 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 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

43.200 litres of illicit liquor is said to have been
recovered from the dicky of the Alto Car 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 the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. He happens to be its driver and was plying
the said car as per the instruction of its owner without knowledge



of keeping of the said liquor in the dickey of the car by its owner. Though one more criminal case under the Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 16.07.2018.

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 2nd Additional Sessions Judge cum Special Judge, Excise Act, Gopalganj in connection with Gopalpur P.S. Case No. 111 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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