

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53837 of 2018

Arising Out of PS.Case No. -170 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

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Gyasuddin Ansari @ Gyasudin Ansari @ Gayasudin son of Late
Kutubuddin Ansari Resident of village - Purani Tamkuhi Raj, Police Station
- Tareya Sujan, District - Kushi Nagar (U.P.)

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-08-2018 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.

49.6 litres of foreign liquor is said to have been
recovered from the Bolero and the petitioner who happens to be its
driver was apprehended in the course of escaping from the said
vehicle.

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 the case at the instance of his enemies. 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 carton in the dicky of 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 29.07.2018.

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 Addl. Sessions Judge cum Special Judge, Excise, Gopalganj in connection with Excise Case No. 170 of 2018.

(Prakash Chandra Jaiswal, J)

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