

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2379 of 2018

Arising Out of PS.Case No. -528 Year- 2017 Thana -BARACHATTI District- GAYA

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Raj Kumar, Son of Ashok Gupta, resident of New Godwn Pahsi, P.S.-
Kotwali, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shivendra Prasad, Advocate.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Barachatty P.S. Case No.
528 of 2017 registered under Sections 30(a), 38, 47 and 49 of the
Bihar Prohibition and Excise Act, 2016.

180 litres of country made liquor is said to have
been recovered from the Maruti Van and the petitioner and co-
accused Rahul Kumar who happens to be the driver were
apprehended by the police.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
possession of the petitioner. The petitioner neither happens to be
the driver nor the owner of the vehicle rather simple commuter of



the same and had no knowledge of keeping liquor in the vehicle. He has no criminal antecedent. The petitioner has been languishing in custody since 28.08.2017.

In the facts and circumstances of the case, 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 Special Judge, Excise, Gaya in connection with Barachatty P.S. Case No. 528 of 2017.

(Prakash Chandra Jaiswal, J)

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