

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56855 of 2018

Arising Out of PS. Case No.-164 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Ritik Kumar Ram, S/o Roshan Ram, R/o Vill-Kanaul Market, Marafari
Shivandih, P.S. Marafari, District-Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Madan Kumar

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

ORAL ORDER

2 12-09-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Lakhisarai (Kabaiya) P.S. Case no. 164 of 2018 registered for
the offence punishable under Sections 272, 273 of I.P.C. and
Sections 30(a), 32(c) and 38(a) of the Bihar Prohibition and
Excise Act 2016.

Petitioner is said to be driver of the Pick-up van
and dashed two persons on the way resulting into their death
and 346.5 lts. of foreign liquor is said to have been recovered
from said Pick-up van and petitioner 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 does not happen to be driver of the vehicle in question rather khalasi and has no concern with the aforesaid occurrence. He had no knowledge of keeping of liquor in the Pick-up van by its owner. He has no criminal antecedent and has been languishing in custody since 20.04.2018. Earlier, the bail prayer of the petitioner was rejected with liberty to the petitioner to renew his prayer for bail after framing of charge and charge in the case under Sections 30(a) and 32(2) of the Bihar Prohibition and Excise Act have been framed on 7.08.2018.

In the facts and circumstances of the case and considering the period of custody of the petitioner, 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 A.D.J.-II-cum-Special Judge, Excise, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case no. 164 of 2018.

(Prakash Chandra Jaiswal, J)

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