

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58829 of 2018

Arising Out of PS. Case No.-283 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

Raj Kumar Son of Awas Singh, resident of village- Duheta, P.S. Ganour,
District- Sonipat (Hariyana)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

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

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Sahebganj P.S. Case no. 283 of 2017 registered for the offence
punishable under Sections 272, 273, 414, 34 of the Indian Penal
Code and Sections 30(a), 32 (ii), 38(ii), 41 (i) of the Bihar
Prohibition and Excise Act, 2016.

2911.680 lts. of foreign liquor is said to have been
recovered from the truck and the 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 conscious
physical possession of the petitioner. He has no concern with



the seized liquor. He happens to be simple driver of the vehicle in question and was plying it as per the instruction of its owner without any knowledge of keeping of liquor in the cartoon on the vehicle. He has no criminal antecedent. He has been languishing in custody since 04.10.2017. 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 now the charge in the case has been framed on 18.07.2018.

In the facts and circumstances of the case, 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 Special Judge, Excise, Muzaffarpur in connection with Sahebganj P.S. Case no. 283 of 2017.

(Prakash Chandra Jaiswal, J)

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