

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25773 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- KHAIRA District- Jamui

Raj Kumar Chauhan Son of Sri Gore Lal Chauhan Resident of Village-
Pinpakara, P.S. Pakari Barawan, District- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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

ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Khaira P.S. Case No. 126 of 2018 registered under Sections 272,
273 of the Indian Penal Code and Sections 30(a), 38(1) of Bihar
Excise Prohibition Act.

101 lts. of country made liquor as well as foreign
liquor are said to have been recovered from Scorpio vehicle and
petitioner who happens to be driver of the said vehicle and one
Rampyare Chauhan and Surendra Kumar sitting in the said
vehicle were 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 mere driver of the vehicle in question and had no knowledge of carrying the liquor by its commuter, namely, Rampyare Chauhan and Surendra Kumar. He has no criminal antecedent. He has been languishing in custody since 03.04.2018. Said Rampyare Chauhan and Surendra Kumar have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 23.05.2018 passed in Cr. Misc. no. 30941 of 2018.

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 2nd Additional Sessions Judge, Jamui in connection with Khaira P.S. Case No. 126 of 2018.

(Prakash Chandra Jaiswal, J)

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