

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21636 of 2018

Arising Out of PS.Case No. -427 Year- 2017 Thana -PATLIPUTRA District- PATNA

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1. Manga Ram @ Maga Rao S/o Aashu Ram, R/o Vill.- Setarua, P.S.-
Ramsar , Distt.- Barmerha (Rajsthan).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Upendra Kumar

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

ORAL ORDER

03 27-04-2018 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), 38 (1) (2) and 41 (1) of
the Bihar Prohibition and Excise Act, 2016 and Section 419, 420,
467, 468 and 471/120B of the Indian Penal Code.

1576 liters of foreign liquor kept in the cartoon in
the container truck and the pickup van was seized and five accused
persons including the petitioner who happens to be driver of the
said container were apprehended.

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 been



falsely implicated in this case. He was a simple driver and transporting the cartoon without knowing its contents on the instructions of the owner of the container. He has no concern with the seized liquor. He has no criminal antecedent and has been languishing in custody since 08.12.2017. Similarly situated co-accused Mukesh Kumar has been enlarged on bail by this Court in Cr. Misc. No.22357 of 2018 vide order dated 17.04.2018.

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 Special Judge Excise, Patna in connection with Special Excise Case No.8961/17, arising out of Patliputra P.S. Case No.427 of 2018.

(Prakash Chandra Jaiswal, J)

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