

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42170 of 2018

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1. Raushan Kumar Jaiswal S/o Late Brij Kishor Prasad, R/o Vill.-
Thakurbadi Muhalla, P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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

ORAL ORDER

3 31-07-2018 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) of the Bihar Prohibition and Excise Act, 2016.

486 liters of Nepali liquor is said to have been recovered from the Santro Car and the petitioner who happens to be driver of the said vehicle was apprehended while another accused managed to escape.

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 no concern with the seized liquor. He happens to be driver of the said vehicle. The



aforesaid liquor was handed-over to him in the carton by Anil Kumar to transport it Motihari on payment of Rs. Two Thousand and he was transporting the aforesaid carton without knowing its contents. He has been falsely implicated in this case at the instance of his enemy. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 12.05.2018.

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 Act, East Champaran, Motihari in connection with Excise Case No. 222 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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