

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44459 of 2018

Arising Out of PS.Case No. -698 Year- 2018 Thana -SAHARSA District- SAHARSA

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Umesh Sah, Son of Debu Sah, resident of Mohalla- Gandhi Path New Colony Ward No. 8, P.S.- Saharsa, Dist.- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 13-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 30(a), 41(i) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

178.920 litres of foreign liquor is said to have been recovered from the Omni car of the petitioner parked at his door and the petitioner was 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 no concern with the seized liquor. Though he happens to be owner cum driver of the said vehicle, but he had no knowledge of keeping of the



liquor in the carton kept in the said vehicle by its commuter who had hired his car and he managed to escape seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 12.06.2018.

Considering the facts aforesaid, 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, Saharsa in connection with Special Case No. 329 of 2018.

(Prakash Chandra Jaiswal, J)

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