

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45310 of 2018

Arising Out of PS. Case No.-552 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

Sunil Kumar S/o Umesh Sahni, R/o Vill.- Bara Jagarnath, P.S.- Ahiyapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Anil Kumar

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

ORAL ORDER

4 29-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case no. 552 of 2018 registered for the offence punishable
under Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and
Excise Act, 2016.

1394 lts. of foreign liquor is said to have been
recovered from the house and cow shed of Raja Kausik and
from pick-up van parked in front of the aforesaid house and
petitioner, who happens to be driver of the aforesaid pick-up van
and one other accused, namely, Nitesh Kumar Singh 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 driver of the said van and had transported the cartoon to Raja Kausik as per instruction of its owner without any knowledge of keeping of liquor in the said cartoon. He has been falsely implicated in this case. He has no criminal antecedent. He has been languishing in custody since 29.05.2018. Said Suman Kaushik @ Raja Kaushik has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 01.08.2018 in Cr. Misc. no. 46795 of 2018 while Nitesh Kumar Singh has been enlarged on bail by this Court vide order dated 11.07.2018 in Cr. Misc. no. 41587 of 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 Ahiyapur P.S. Case no. 552 of 2018.

(Prakash Chandra Jaiswal, J)

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