

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43002 of 2018

Arising Out of PS. Case No.-170 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

Murat Kumar Ram S/o Vidhi Ram, R/o Vill.- Malan , P.S.- Yadopur , District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar
For the Opposite Party/s : Mr. Anish Chandra

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

ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kuchaykot P.S. Case no. 170 of 2018 registered for the offence
punishable under Sections 30(a)(b)(c)/ 38/41(a)(b) of the Bihar
Prohibition and Excise Act, 2016.

388.800 lts. of foreign liquor is said to have been
recovered from dickey of the Honda City car and petitioner,
who happens to be its driver was 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 car and



was plying the same as per instruction of its owner without any knowledge of keeping of liquor in the dickey of the said car by its owner. He does not happen to be owner of the vehicle in question rather owner is Md. Kalam. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 12.06.2018.

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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Kuchaykot P.S. Case no. 170 of 2018.

(Prakash Chandra Jaiswal, J)

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