

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24031 of 2018

Arising Out of PS.Case No. -178 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Basu Sahani, S/o Late Shankar Sahni, resident of village- Chand Saraiya, P.S.- Piprakothi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Bisheshwar Ram

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 01-05-2018

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) & 37 (a) of the Bihar Prohibition and Excise Act, 2016 and Section 414 of the Indian Penal Code.

306 liters of Nepali saufi wine is said to have been recovered from the tempo and the petitioner who happens to be driver of the said tempo 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. As a matter of



fact, he was the commuter of the said tempo and he had no knowledge of keeping the said liquor by its driver in the tempo, who managed to escape seeing the police party. He has no concern either with the seized liquor or the tempo in question. The chargesheet in this case has already been submitted. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 17.12.2017.

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, East Champaran at Motihari in connection with Kundwachainpur P.S. Case No.178 of 2017.

(Prakash Chandra Jaiswal, J.)

Trivedi/-

U		T	
---	--	---	--

