

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3014 of 2018

Arising Out of PS.Case No. -217 Year- 2017 Thana -FATUHA District- PATNA

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1. Bhawar Lal, S/o Dana Ramjee, Resident of Village- Kokanbali, P.S.-
Chitawa, District- Nagor, State- Rajasthan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan

For the Opposite Party/s : Mr. Amrendra Prasad

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

ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Fatua P.S. Case No.217
of 2017 registered under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016 and 120-B of the Indian Penal Code.

1530 liters of foreign liquor is said to have been
recovered from a container, pick-up van and tractor and petitioner
and three other accused persons were apprehended while several
other persons 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. Petitioner happens
to be Khalasi of the container and had no knowledge that liquor



was kept in the container. He was simply assisting the driver of the vehicle in course of driving the same. He has been falsely implicated in this case. He has no criminal antecedent. The petitioner has been languishing in custody since 07.06.2017. Three apprehended accused persons, namely, Sanjeev Kumar, Raju Rai @ Raju Kumar and Chandan Kumar have been granted bail by different coordinate Benches of this Court in Cr. Misc. No.46789 of 2017, 50154 of 2017 and 48730 of 2017 vide order dated 21.09.2017, 17.10.2017 and 12.10.2017 respectively.

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, Patna in connection with Special Case No.2576/17, arising out of Fatua P.S. Case No.217 of 2017.

(Prakash Chandra Jaiswal, J)

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