

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32415 of 2018

Arising Out of PS. Case No.-222 Year-2017 Thana- KHAGARIA District- Khagaria

Chhotu Kumar @ Nigam Kuwar son of Sri Lal Kuwar @ Lallan Kumar
Resident of Village - Saidpur, Police Station - Gopalpur in the district of
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Rana Randhir Singh

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

ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Khagaria P.S. Case No. 222 of 2017 registered under Sections
272, 273, 414 of the Indian Penal Code and Sections 30(a)/38 of
Bihar Prohibition Excise Act-2016.

123.375 lts. of foreign liquor is said to have been
recovered from the vehicle and petitioner who happens to be
driver of the said vehicle and one other person, namely, Pandav
Kumar Yadav sitting in it 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 vehicle and had no knowledge of carrying of the said liquor in the cartoon by the said vehicle by its commuter. Though, five more criminal cases have been lodged against the petitioner, but he is on bail in the said cases. He has been languishing in custody since 08.04.2017.

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 Additional Sessions Judge-3rd, Khagaria in connection with Khagaria P.S. Case No. 222 of 2017.

(Prakash Chandra Jaiswal, J)

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