

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34366 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -MAHESI District- SAHARSA

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Rupesh Singh @ Mangal Singh @ Rupesh Kr. Singh, Son of Bhim Singh @
Krishna Singh, Resident of Village- Kandaha, P.S.- Mahishi, District-
Saharsa.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Madhav Jha, Adv.
For the Opposite Party : Mr. Shailendra Kumar -2, A.P.P.

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

02 20-06-2018 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 Sections 30 (a), 37 (b) of the Bihar Prohibition
and Excise Act, 2016.

50.790 liters of foreign liquor is said to have been
recovered from the Scorpio vehicle and the petitioner who
happens to be driver of the said vehicle 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. He has no concern with the
seized liquor. He happens to be driver of the said vehicle and had



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no knowledge of keeping the said liquor in the bag by the commuter in the vehicle who managed to escape seeing the police party. Though one more case under the SC/ST Act is pending against the petitioner but he is on bail in the said case. He has been languishing in custody since 25.02.2018.

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 A.D.J.-II-cum-Special Judge Excise Act, Saharsa in connection with Special Case No. 108 of 2018, arising out of Mahishi P.S. Case No. 39 of 2018.

(Prakash Chandra Jaiswal, J.)

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