

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35001 of 2018

=====

Chhotu Kumar, Son of Birju Baitha, Resident of Village- Jankop, P.S.-
Barun, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 22-06-2018 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) and 38 of the Bihar
Prohibition and Excise Act, 2016.

100 litres of country made liquor is said to have
been recovered from the dickey of the Indigo Car and the
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 the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. He has been falsely implicated in the case
at the instance of his enemies. The petitioner happens to be driver



of the said vehicle and he had no knowledge of keeping of the said liquor in the dickey of the vehicle by its owner and he was plying the vehicle as per the instruction of its owner. He has no criminal antecedent. He has been languishing in custody since 11.05.2018.

Considering the facts aforesaid, 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 Addl. Sessions Judge-VII cum Special Judge, Excise, Aurangabad in connection with Amba P.S. Case No. 38 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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

