

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39100 of 2018

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1. Munna Kumar, Son of Bhagwan Rai, resident of Village- Chakausan,
Police Station- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mrs. Madhuri Lata

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

ORAL ORDER

03 17-07-2018 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) of Bihar Prohibition and
Excise Act, 2016.

126 liters of foreign liquor is said to have been
recovered from the dicky of the tempo and petitioner, who
happens to be driver of the tempo, was apprehended while its
owner managed to escape seeing the police party.

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 vehicle in question



and he had no knowledge of keeping the said liquor in the vehicle. He was plying the vehicle at the instruction of his owner who managed to escape seeing the police party. He has no criminal antecedent and has been languishing in custody since 14.04.2018.

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 Special Judge Excise Act at Patna in connection with Special Case No. 3608 of 2018 arising out of Digha P.S. Case No. 02 of 2018.

(Prakash Chandra Jaiswal, J)

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