

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38696 of 2018

Arising Out of PS.Case No. -184 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Mohan Chaudhary Son of Rajendra Choudhary resident of village
Takuwatarn P.S. Rajauli District Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 03-07-2018 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 Sections 30 (a) and 56(d) of the Bihar Prohibition and Excise Act, 2016.

106.500 liters of foreign liquor is said to have been recovered from the box made in the dala of the truck and petitioner who happens to be driver of the truck was apprehended while another accused person Sonu Kumar 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. He has no concern with the seized liquor. He happens to be the driver of the vehicle in



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question and was transporting the said vehicle at the instruction of its owner Sonu Kumar without any knowledge of the keeping liquor in its vehicle and the said Sonu Kumar managed to escape, seeing the police party. He has no criminal antecedent and has been languishing in custody since 17.05.2018.

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 Additional District and Sessions Judge-V-cum-Special Judge Excise, Gaya in connection with Excise Case No. 184 of 2018.

(Prakash Chandra Jaiswal, J)

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