

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38525 of 2018

Arising Out of PS.Case No. -234 Year- 2018 Thana -JAGDISHPUR District- BHAGALPUR

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1. Pappu Choudhary @ Pappu Kumar Choudhary S/o Raju Choudhary, R/o Mohalla- Shivpuri Colony, P.S.- Ishakchak, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 02-07-2018 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) of the Bihar Prohibition and Excise Act, 2016.

80 liters of foreign liquor is said to have been recovered from the Tata Zest vehicle and the petitioner, who happens to be the driver and another accused Sanjay Chaudhary sitting in the said vehicle were 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 simple driver of the vehicle in



question and had no knowledge of carrying the aforesaid liquor in the cartoon in his vehicle and the real culprit managed to escape seeing the police party. He was plying the vehicle at the instruction of its owner. He has no criminal antecedent and has been languishing in custody since 10.05.2018.

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 Second Additional District and Sessions Judge-cum-Special Judge Excise, Bhagalpur in connection with Jagdishpur P.S. Case No. 234 of 2018.

(Prakash Chandra Jaiswal, J)

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