

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46427 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -RAJPUR District- BUXAR

=====

Jitendra Kumar Singh, Son of Surya Nath Singh, resident of village –
Kanaknarayanpur, P.S.-Buxar(M), District-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sunil Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

40 litres of country made liquor is said to have been
recovered from the Tata 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 happens to be driver of the said vehicle
and was plying the same without any knowledge of keeping of the
liquor in the carton by its commuter who managed to escape



seeing the police party. He has been falsely implicated in the case at the instance of his enemies. There is violation of Section 100 Cr.P.C. Though one more case under Excise Act has been lodged against the petitioner, but he is on anticipatory bail in the said case. He has been languishing in custody since 07.05.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Buxar in connection with Rajpur P.S. Case No. 94 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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

