

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48606 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN (MOTIHARI)

=====

1. Aman Kumar @ Arman S/o Late Ramnath Prasad @ Md. Asgar Ali, R/o
Vill.- Gopalpur Ward No. 33, P.S.- Town (Motihari), District- East
Champaran (Motihari).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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

02 08-08-2018 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 the Bihar Prohibition and
Excise Amendment Act, 2016.

285 liters of Nepali liquor is said to have been recovered
from the tempo 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 tempo and was



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driving the same without knowledge of carrying the liquor by its commuter in the tempo who managed to escape leaving the aforesaid liquor there seeing the police party. There is violation of Section 100 Cr.P.C. He has been falsely implicated in this case by the police merely on suspicion. He has no criminal antecedent and has been languishing in custody since 15.02.2108.

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 Sessions Judge-VII-cum-Special Judge Excise, Motihari, East Champaran (Motihari) in connection with Trial No. 311 of 2018 arising out of Excise Case No. 78 of 2018.

(Prakash Chandra Jaiswal, J)

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