

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44536 of 2018

Arising Out of PS.Case No. -226 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Sunny Kumar, S/o. Naresh Rai, Resident of Village- Naya Tola Dighi, P.S.
Sadar Hajipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amod Kumar Singh

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 24-07-2018 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 the Bihar Prohibition and
Excise Act, 2016.

75 liters of foreign liquor is said to have been recovered
from the dickey of the Ascent Car and the petitioner who happens
to be driver of the said car and one Rajnish Kumar 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 has been falsely implicated in the case at the



instance of his enemy. The petitioner happens to be driver of the vehicle in question and he had no knowledge of keeping of the said liquor in the dickey of the car. There is violation of Section 100 Cr.P.C. Similarly situated co-accused, namely, Rajnish Kumar has been enlarged on bail by this Court in Cr. Misc. No. 44373 of 2018 vide order dated 23.07.2018. He has no criminal antecedent and has been languishing in custody since 30.06.2018.

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, Gaya in connection with Excise Case No. 226 of 2018.

(Prakash Chandra Jaiswal, J)

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