

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44326 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- JIRADEI District- Siwan

Abhay Singh S/o Jai Nrayan Singh @ Jagannath Singh, R/o Vill.- Ekma at present of Bharhopur, P.S.- Ekma, District- Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Ziradei P.S. Case no. 36 of 2018 registered under Sections 272, 273, 308 of I.P.C. and Sections 30, 38 of Bihar Excise and Prohibition Act-2016.

45 lts. of foreign liquor is said to have been recovered from dickey of the Esteem LX car and petitioner who happens to be its driver and co-accused, namely, Pappu Kumar sitting on the said vehicle were apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with



the seized liquor. He happens to be simple driver of the aforesaid vehicle and was plying it as per instruction of its owner without any knowledge of keeping of aforesaid liquor in its dickey by its owner. He has no criminal antecedent. He has been languishing in custody since 24.05.2018.

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 Sessions Judge-II-cum-Special Judge (Excise), Siwan in connection with Ziradei P.S. Case no. 36 of 2018.

(Prakash Chandra Jaiswal, J)

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