

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44158 of 2018

Arising Out of PS.Case No. -198 Year- 2018 Thana -KADWA District- KATIHAR

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Md. Tamur @ Md. Taimur S/o Md. Afsar, R/o Vill.- Vishrupa, P.S.-
Dagarua, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Prawesh Kumar

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

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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 Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

83.4 litres of foreign liquor is said to have been
recovered from the dickey of the car and the petitioner who
happens to be driver of the said car 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 has been falsely implicated in the case.



He happens to be simple driver of the said car and was plying it as per the instruction of its owner without knowing keeping of the said liquor in dickey of the car by its owner. He has no criminal antecedent. He has been languishing in custody since 15.06.2018.

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 2nd Addl. Sessions Judge cum Special Judge, Excise, Katihar in connection with Kadwa (Balua Belone) P.S. Case No. 198 of 2018.

(Prakash Chandra Jaiswal, J)

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