

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47165 of 2018

Arising Out of PS.Case No. -335 Year- 2018 Thana -JAHANABAD District- JEHANABAD

=====

Nakul Kumar, S/o. Late Krishana Yadav, R/o. Mohalla- Madarpur, P.S- and District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 02-08-2018 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 Act, 2016.

80 liters of country made liquor is said to have been recovered from the Tempo and its driver, namely, Vinay Kumar managed to escape. Petitioner happens to be owner of the said Tempo.

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. Though he happens to be owner of the Tempo in question but the aforesaid Tempo was given to Vinay Kumar for



plying and he had no knowledge of transporting the liquor by the said driver by his tempo. He happens to be crippled by both the legs. There is violation of Section 100 Cr.P.C. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 22.06.2018.

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 Additional District Judge-II, Jehanabad in connection with Jehanabad P.S. Case No. 335 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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

