

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47208 of 2018

Arising Out of PS.Case No. -234 Year- 2018 Thana -JAGDISHPUR District- BHAGALPUR

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Pranav Kumar Tiwari, S/o. Jai Prakash Tiwari, R/o. Village- Baijani, P.S-
jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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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.

113.295 liters of foreign liquor is said to have been
recovered from the dicky of the Maruti Suzuki and the petitioner
who happens to be driver of the said vehicle and another accused,
namely, Nikki Kumar Choudhary @ Nikki Choudhary sitting in
the said vehicle 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 happens to be driver of the aforesaid vehicle and



was plying the same as per the instruction of its owner without any knowledge of keeping of liquor by its owner in the dickey. Said Nikki Kumar Choudhary @ Nikki Choudhary has been enlarged on bail by this Court in Cr. Misc. No. 41691 vide order dated 12.07.2018. He has no criminal antecedent and has been languishing in custody since 10.05.2018.

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 2nd Additional District & Sessions Judge-cum-Special Judge Excise Act, Bhagalpur in connection with Jagdishpur P.S. Case No. 234 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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