

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44491 of 2018

Arising Out of PS.Case No. -296 Year- 2018 Thana -SHERGHATI District- GAYA

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Pintu Kumar, S/o Janki Yadav, resident of village – Kordhandhi, P.S.-
Cherki, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

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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, 273 and 414 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

60 litres of country made liquor is said to have been
recovered from the Santro Car and four accused persons including
the petitioner 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
either with the seized liquor or with the vehicle in question. He
happens to be simple commuter and was travelling by the said



vehicle without knowing keeping of the liquor in it. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 01.06.2018. Similarly situated co-accused, namely, Guddu Kumar and Santosh Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 12.07.2018 passed in Cr. Misc. No. 41694 of 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 Special Excise Judge, Gaya in connection with Sherghati (Dovi) P.S. Case No. 296 of 2018.

(Prakash Chandra Jaiswal, J)

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