

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49611 of 2018

Arising Out of PS. Case No.-405 Year-2018 Thana- DEHRI TOWN District- Rohtas

Sukhbir Singh @ Sukhveer Singh S/o Rup Ram, R/o Vill.- Dwarika , P.S.-
Badhda, District- Chakhri Dadri (Bhiwani), Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. Ataur Rahman

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 14-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Dehri
Town P.S. Case no. 405 of 2018 registered for the offence
punishable under Section 30(a), 38, 41 of the Bihar Prohibition
and Excise Act, 2016.

432 lts. of foreign liquor is said to have been
recovered from the pick-up van kept in the cartoon and
petitioner, who happens to be its driver was apprehended and on
his disclosure, 1641 lts. of foreign liquor is said to have been
recovered from dilapidated house of Kamlesh Singh.

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 driver of the vehicle in question and the aforesaid cartoon containing liquor was loaded on its vehicle in his absence and he was plying the said vehicle as per instruction of its owner without knowing contents of cartoon loaded on the vehicle. He had not made any disclosure and nothing was recovered on his alleged disclosure. He has been falsely implicated in this case. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 30.04.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Excise, Rohtas, Sasaram in connection with Dehri Town P.S. Case no. 405 of 2018.

(Prakash Chandra Jaiswal, J)

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