

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51986 of 2018

Arising Out of PS.Case No. -133 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

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Babloo Kumar Prasad, S/o. Prabhu Prasad, R/o. Village- Madhopur (Lakri
Tola), P.S.- Basantpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar

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

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

ORAL ORDER

2 24-08-2018 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.

172.800 litres of foreign liquor is said to have been
recovered from the dickey of the car and petitioner who happens
to be its driver 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 happens to be driver of the said vehicle
and was plying it as per instruction of the owner without knowledge of



keeping of the liquor in its dicky by its owner. There is violation of Section 100 Cr.P.C. Though three more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 13.06.2018.

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 Additional District and Sessions Judge-II, Gopalganj in connection with Excise Case No. 133 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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