

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53953 of 2018

Arising Out of PS.Case No. -233 Year- 2018 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Salim Mian @ Saleem Miyan, S/o. Wakil Miyan, R/o. Village- Belbanwa,
P.S.- Jogapatti, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upadhyay Saurabh Kumar

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 31-08-2018

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.

131.200 litres of foreign liquor is said to have been
recovered from the Scorpio and petitioner who happens its driver
and one another accused, namely, Niraj Srivastava were
apprehended during the course of escaping from the said vehicle
and Dipak Keshri managed to escape.

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 has been falsely implicated in the case at the instance of his enemy. He happens to be driver of the said vehicle and had no knowledge of keeping of liquor in the bag by its commuter who managed to escape leaving the bag containing liquor in the vehicle seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 05.06.2018. Co-accused, namely, Niraj Srivastava has been enlarged on bail by this court vide order dated 18.08.2018 passed in Cr. Misc. No. 50678.

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 Judge, Excise Act, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 233 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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