

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63415 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -SIWAIPATTI District- MUZAFFARPUR

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Jagtar Singh, S/o. Late Laxman Singh, R/o. Village- Pathatua @ Bhatha
Dhua, P.S.- Sadamabet (Sidhabet), District- Ludhiana (Punjab).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sanjay Kumar

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

2 10-10-2018 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 and 273/34 of the Indian
Penal Code and Sections 30(A), 38, 41 and 48 of the Bihar
Prohibition and Excise Act, 2016.

2982 litres of foreign liquor is said to have been
recovered from the truck parked in the campus of Harihar Bhagat
located beside the saw mill and the petitioner who happens to be
driver of the said truck and four other accused persons 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 said vehicle and was plying the same as per the instruction of the owner and he had no knowledge of keeping of liquor in the carton on the said truck by its owner. He has been languishing in custody since 25.02.2018. Earlier, the bail prayer of the petitioner was rejected vide order dated 02.07.2018 with liberty to renew his prayer for bail after framing the charge and now the charge in the case has been framed on 23.08.2018. Hence, the petitioner deserves bail.

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, Muzaffarpur in connection with Siwaipatti P.S. Case No. 16 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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