

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29466 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -JOKIHAT District- ARRARIA

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1. Matibul Rahman @ Matibul, Son of Late Maniruddin, Resident of Village- Khudigachh Mahal, Banshgaon, P.S.- Fandideva, Dist.- Darjeeling (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

04 11-07-2018 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 272/273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

171 liters of foreign liquor is said to have been recovered from the Bajaj Omni four wheeler and the 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. The petitioner happens to be driver of the vehicle in



question and he had no knowledge of keeping of the said liquor in the vehicle. He was plying the vehicle at the instruction of his owner on paltry freight. He has no criminal antecedent and has been languishing in custody since 09.04.2018.

In the facts and circumstances of the case, 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 2nd Additional District and Sessions Judge-cum-Special Judge, Araria in connection with Jokihat P.S. Case No.89 of 2018.

(Prakash Chandra Jaiswal, J)

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