

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41951 of 2018

Arising Out of PS.Case No. -379 Year- 2017 Thana -KADWA District- KATIHAR

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1. Md. Jakir S/o Md. Safique, R/o Vill.- Karimganj Banbhui P.S.- Barsoi,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

04 02-08-2018 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 Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

142.900 liters of foreign liquor is said to have been recovered from a Scorpio and its driver, namely, Mosahid Alam was apprehended and petitioner who happens to be owner of the said vehicle 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. Though he happens to be owner of the said vehicle but he had given the said vehicle to its driver for plying it and had no knowledge of transporting the liquor by his driver. The driver, namely, Mosahid Alam has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.6388 of 2018 vide order dated 01.02.2018. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Katihar in connection with Kadwa P.S. Case No.379 of 2017.

(Prakash Chandra Jaiswal, J)

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