

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52608 of 2018

Arising Out of PS.Case No. -148 Year- 2018 Thana -DARBHANGA District- DARBHANGA

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Dhiraj Kumar, Son of Dhaneshwar Ray, resident of Village- Pusa
University, Police Station- Pusa and District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking regular bail in connection with G.O. Case No. 649 of 2018 arising out of Town P.S. Case No. 148 of 2018, registered for offences alleged under Sections 36 and 37 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per allegation in the First Information Report, this petitioner was driving the vehicle in question when the vehicle was intercepted and searched by the police authorities. In course of search it is alleged that 390 Liters of mixed kind of 'Tari' was recovered from the vehicle. Learned counsel submits that this petitioner is the driver of the vehicle and the 'Tari' has been allegedly recovered in



course of search and on the backseat of the vehicle one Golu Kumar was sitting. This petitioner was not aware of the same and was not in conscious possession of the 'Tari'.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case where the petitioner is said to be the driver of the vehicle, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge-cum-Special Judge, Darbhanga, in connection with G.O. Case No. 649 of 2018 arising out of Town P.S. Case No. 148 of 2018, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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