

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24663 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Fakruddin, Son of Subhan, Resident of Village- Kanchanner, Police Station-
Jurhera, District- Bharatpur (Rajasthan).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. S. Ehteshamuddin

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

ORAL ORDER

4 08-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Case
no. C-III-76 of 2018 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

1296 lts. of foreign liquor is said to have been
recovered from cartoon kept in the cell of Tata L.P. 407 and
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 conscious
physical possession of the petitioner. He has no concern with the
seized liquor. He happens to be driver of the aforesaid vehicle
and was plying the same as per instruction of its owner without



any knowledge of keeping of liquor in the cell of the aforesaid vehicle in cartoon by its owner. He has been falsely implicated in this case. He has no criminal antecedent. He has been languishing in custody since 23.02.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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, Siwan in connection with Case no. C-III-76 of 2018.

(Prakash Chandra Jaiswal, J)

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