

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18916 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- AMAUR District- Purnia

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Kurban Son of Md. Jalile resident of Village - Gerua, Police Station - Amaur,
District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

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

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

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Amour
P.S. Case no. 10 of 2018 registered under Sections 272, 273/34
of IPC and Section 30(a) of Bihar Prohibition & Excise Act-
2016.

350 lts. of mix toddy is said to have been recovered
from a tempo and its driver, namely, Murshid and its commuter
(petitioner) were 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 toddy. He has been falsely implicated in the case by



the police. He happens to be simple commuter of the said vehicle and had no knowledge of carrying the said toddy in the aforesaid tempo by its driver. He has no criminal antecedent. He has been languishing in custody since 29.01.2018. Driver of vehicle, namely, Murshid @ Md. Murshid Alam has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 19.04.2018 passed in Cr. Misc. no. 20386 of 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 Addl. Sessions Judge-III-cum-Special Judge, Excise, Purnea in connection with Amour P.S. Case no. 10 of 2018.

(Prakash Chandra Jaiswal, J)

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