

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23139 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -CHAKAI District- JAMUI

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Rakesh Kumar S/o Chandashi Paswan, R/o Vill.- Parmanandpur, P.S.-
Muffasil, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

80 litres of beer is said to have been recovered from
the Hundai Grand I-10 vehicle and its driver namely Raja Kumar
and other accused persons including the petitioner sitting in the
said car were 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
either with the seized liquor or with the vehicle in question. He



happens to be simple commuter of the said vehicle and he had no knowledge of keeping of the seized liquor in the said vehicle by its driver. He has no criminal antecedent. He has been languishing in custody since 18.03.2018.

Considering the facts aforesaid, 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 Addl. District and Sessions Judge, Jamui in connection with Chakai P.S. Case No. 35 of 2018.

(Prakash Chandra Jaiswal, J)

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