

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21159 of 2018

Arising Out of PS.Case No. -73 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

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Dhaneshwar Kumar Rai, Son of Chandeshwar Rai, Resident of Village-
Dadpur Chaknoor, Police Station- Samastipur (Muffassil), District-
Samastipur, (Owner of the Vehicle Registration No. BR- 01-PA-7131
TATA SUMO).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Smt. Asha Devi, APP.

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

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kalyanpur P.S. Case No.
73 of 2017 registered under Sections 272 and 273 of the Indian
Penal Code and Sections 30(a) and 38 of the Bihar Prohibition and
Excise Act, 2016.

90 litres of foreign liquor is said to have been
recovered from Tata Sumo and its driver was apprehended. The
petitioner is said to be owner of the said vehicle.

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 it to its driver for plying and had no knowledge of carrying liquor in the said vehicle by its driver. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 06.02.2018.

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 3rd Additional Sessions Judge cum Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. Case No. 73 of 2017.

(Prakash Chandra Jaiswal, J)

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