

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25204 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -RAMKRISHNANAGAR District- PATNA

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Nitish Kumar, S/o Ram Jatan Das, R/o Mohalla- R.M.S. Colony, Harijan Tola, Kankarbag, Ashok Nagar Road No.14, P.S.- Kankarbag, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

72 litres of foreign liquor is said to have been recovered from the Indigo car and the petitioner who happens to be its driver was apprehended while two other accused persons managed to escape.

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. He happens to be driver of the vehicle in question and he had no knowledge of carrying liquor by its commuter in the vehicle who managed to escape seeing the police party. He has no criminal antecedent. The petitioner has been languishing in custody since 09.03.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 2132 of 2018 arising out of Ramkrishna Nagar P.S. Case No. 80 of 2018.

(Prakash Chandra Jaiswal, J)

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