

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25239 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -GWALPARA District- MADHEPURA

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1. Md. Fakhruddin @ Md. Fakhrudin, S/o Md. Salim, resident of Village-
Sulindabad, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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

ORAL ORDER

02 01-05-2018 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 Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

365.75 liters of country made and foreign liquor is
said to have been recovered from the Maruti van and the petitioner
who happens to be driver of the said van was apprehended on
giving chase while another accused Kunal Bhagat managed to
escape seeing the police party.

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 he said van and had no knowledge of carrying of the aforesaid liquor by the said Kunal Bhagat who managed to escape seeing the police party. He has no criminal antecedent and has been languishing in custody since 15.02.2018.

In the facts and circumstances of the case, 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 Judicial Magistrate 1st Class, Udakishunganj, Madhepura in connection with Gawalpara (Arar) P.S. Case No. 20 of 2018.

(Prakash Chandra Jaiswal, J.)

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