

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25528 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- INDUSTRIAL District- Bhagalpur

Subham Kumar @ Shashwat Prakash, Son of Binod Prasad Jaiswal @ Binod Kumar Jaiswal @ Binod Kumar, R/o Narayanpur, P.S.- Bhawanipur, District- Bhagalpur at present Jyoti Vihar Colony, Jharkhuria, P.S.- Zeromile, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha
For the Opposite Party/s : Mr. Anand Kishore Choudhary

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 connection with Industrial Area P.S. Case no. 32 of 2018 registered under Sections 30(a)/30(A) of Bihar Prohibition & Excise Act-2016.

135 lts. of foreign liquor is said to have been recovered from Honda City Car and three persons including the petitioner, who happens to be its driver 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 liquor. He happens to be driver of the aforesaid car



and had no knowledge of carrying the liquor in the cartoon by its commuters, who were also apprehended on the said car. He has been falsely implicated in the case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 13.03.2018.

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 Special Judge, Excise, Bhagalpur in connection with Industrial Area P.S. Case no. 32 of 2018.

(Prakash Chandra Jaiswal, J)

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