

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31636 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -SHIWAPATHI District- MUZAFFARPUR

=====

Jagtar Singh Son of Laxman Singh Resident of Village- Bhatha Dhua, P.S.
Sidhabet, District- Ludhiana, Punjab.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

=====

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

ORAL ORDER

4 02-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Section 30(A), 38, 41 and 48 of the Bihar
Prohibition and Excise Act, 2016.

2982 litres of foreign liquor is said to have been
recovered from the truck parked in the campus of Harihar Bhagat
located beside the saw mill and the petitioner who happens to be
driver of the said truck and four other accused persons 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 with the seized liquor. Petitioner happens to be driver of the said truck and he had no knowledge of keeping of the liquor in the carton in the said truck by its owner. He has no criminal antecedent. He has been languishing in custody since 25.02.2018.

Learned APP opposing the bail petition of the petitioner submitted that huge quantity of foreign liquor has been recovered from the truck and the petitioner happens to be driver of the said truck and he had knowledge of keeping of the liquor in the said truck. Hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

