

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38387 of 2018

Arising Out of PS.Case No. -83 Year- 2018 Thana -HASANPUR District- SAMASTIPUR

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1. Badal Kumar, Son of Baudhu Ray, Resident of Village- Ramanand Nagar, Jagdishpur, P.S.- Neemachandpura, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 02-07-2018 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), 38(1)(2) 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

51.840 liters of foreign liquor is said to have been recovered from the Bolero Pickup Van and the petitioner who happens to be the driver of the said vehicle was 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. He had no knowledge of keeping of the said liquor in the vehicle. He was simply plying the vehicle at the instruction



of its owner. He has no criminal antecedent and has been languishing in custody since 20.05.2018

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 6th Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur in connection with Hasanpur P.S. Case No. 83 of 2018.

(Prakash Chandra Jaiswal, J)

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