

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37468 of 2018**

Arising Out of PS. Case No.-96 Year-2018 Thana- BARGANIA District- Sitamarhi

Chhabila Kumar @ Chhabilal Kumar @ Chavilal Kumar, Son of Virendra Rai, Resident of Village & P.O. Pachtaki Yadu, P.S.- Bairgania, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2     28-06-2018                      Heard learned counsel for the petitioner and the counsel appearing on behalf of the State.

Petitioner is in custody in connection with Bairgania P.S. Case No. 96 of 2018 for the offence under sections 272, 273, 414 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has no criminal antecedent. He was travelling in the Tempo as a passenger and he was not aware of the fact that in the Tempo liquor was kept. Petitioner was apprehended in the instant case on 11.5.2018 only on suspicion.

Counsel for the petitioner submits that neither petitioner is owner of the Auto nor the owner of liquor nor has



any concern with the liquor with the liquor or the Auto. He was only a passenger of the Auto.

Considering the fact that petitioner has no criminal antecedent and he has remained in custody for more than one and half months, let the petitioner, named above, 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 learned Additional District and Sessions Judge-II-cum-Special Judge, Sitamarhi, in connection with Baorgania P.S. Case No. 96 of 2018.

**(Anil Kumar Upadhyay, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

