

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41613 of 2018

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Ajit Mehta, son of Kangress Mahto, resident of Village- Gherura, P.S.-
Rishyap, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 12-07-2018 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 Section 30(A)/38 of the Bihar Prohibition and Excise Act, 2016.

108 liters of foreign liquor is said to have been recovered from the pickup van and the driver of the said van namely Abdul Ansari and petitioner who happens to be co-driver were apprehended while another accused managed to escape.

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. The petitioner happens to be co-driver of the vehicle in question and had no knowledge of keeping the said liquor



beneath the tomato laden on the vehicle. He was simply accompanying the driver at the instruction of his owner. The said Abdul Ansari has been granted bail by this Court in Cr. Misc. No 38491 of 2018 vide order dated 02.07.2018. He has no criminal antecedent and has been languishing in custody since 05.05.2018.

Considering the facts aforesaid, 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 Additional Sessions Judge VII-cum-Special Judge, Excise, Aurangabad in connection with Amba P.S. Case No. 33 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Sanjeev

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