

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41862 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -GOPALPUR District- GOPALGANJ

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Mahammad Nausad @ Laddu, Son of Kitabuddin Miyan @ Kitab Hussain,
Resident of village – Bedu Tola, Police Station – Thawe, District-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Rajendra Nath Jha

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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 Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

198.720 litres of foreign liquor is said to have been
recovered from the car and the petitioner who is said to be driver
of the said car 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
either with the seized liquor or with the vehicle in question. He



happens to be simple commuter of the said vehicle and was travelling in it without knowledge of keeping of the said liquor in the vehicle by its driver who managed to escape seeing the police party leaving the said car. He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 15.05.2018.

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 Addl. District and Sessions Judge-II, Gopalganj in connection with Gopalpur P.S. Case No. 64 of 2018 G.R. No. 1981/2018.

(Prakash Chandra Jaiswal, J)

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