

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49861 of 2018

Arising Out of PS.Case No. -227 Year- 2018 Thana -BARAUNI District- BEGUSARAI

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Santosh Kumar @ Santosh Ray, son of Late Mahendra Rai, resident of
Mohalla Gachhi Tola, Power House Road, P.S, Town and District
Begusarai. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mrs. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 13-08-2018 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) and 38 of the Bihar Prohibition
and Excise Act, 2016.

98.64 liters of foreign liquor is said to have been recovered
from the dicky of the car and petitioner and one another accused
person 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. The petitioner happens to be a simple commuter and
had no knowledge of keeping of the said liquor in the dicky of
the car. He was travelling by the said car by taking lift from its



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driver. There is violation of Section 100 Cr.P.C. Though two more criminal cases have been lodged against the petitioner but he is on bail in the said cases. He has been languishing in custody since 05.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Begusarai in connection with Barauni P.S. Case No. 227 of 2018.

(Prakash Chandra Jaiswal, J)

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