

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47968 of 2018

Arising Out of PS.Case No. -212 Year- 2018 Thana -DARBHANGA SADAR District-
DARBHANGA

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Vijay Haldhar @ Vijay Haldar, Son of Biraj Haldar, Resident of Village-
Islampur, Police Station- Islampur, District- Uttar Dinajpur, West Bengal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 465, 467, 480, 487, 488, 489,
272 and 273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

90 litres of foreign liquor is said to have been
recovered from the dicky of the Swift car and the petitioner who
happens to be driver of the said car and co-accused Wasim Reza
sitting in the said car were 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 happens to be driver of the said vehicle and was plying it as per the instruction of its owner without any knowledge of keeping of the liquor in its dickey by its owner. He has no criminal antecedent. He has been languishing in custody since 19.06.2018. Co-accused Wasim Reza has been enlarged on bail by this court vide order dated 16.07.2018 passed in Cr. Misc. No. 42591 of 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. Sessions Judge-IV cum Special Judge, Darbhanga in connection with G.O. Case No. 530 of 2018 arising out of Sadar (Bhalpatti O.P.) P.S. Case No. 212 of 2018.

(Prakash Chandra Jaiswal, J)

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