

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51561 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -PANCHRUKHI District- SIWAN

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Alok Kumar, S/o. Sri Yugal Kishor Singh, R/o. Village- Bihar Khurd, P.S.-
Patherwa, District- Kushi Nagar (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 23-08-2018 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 Sections 272, 273, 308 and 420 of the
Indian Penal Code and Sections 30(a) and 38/41 of the Bihar
Prohibition and Excise Act, 2016.

1209.6 litres of foreign liquor is said to have been
recovered from the tractor and its driver, namely, Sanjay Rajbhar
was apprehended and out of 5 to 6 accused persons who were
interacting there on motorcycle, one, namely, Anil Singh was
apprehended and others 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. He happens to be owner of the said tractor. He had given the aforesaid tractor to its driver, namely, Sanjay Rajbhar for transporting of bricks, but instead of transporting bricks he was transporting liquor by the said tractor without his knowledge. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 28.07.2018.

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 2nd Additional Sessions Judge cum Special Judge, Excise, Siwan in connection with Pachrukhi P.S. Case No. 94 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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