

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52761 of 2018

Arising Out of PS.Case No. -60 Year- 2018 Thana -AMBA District- AURANGABAD

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Ramashish Yadav, Son of Ramsundra Yadav, Resident of village –
Dhundha, P.S.-Amba, District – Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018 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 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

24 litres of country made liquor is said to have been
recovered from the tempo and the petitioner who happens to be its
driver and one other co-accused namely Pravesh Bhuiyan sitting in
the said vehicle 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 without any knowledge of keeping of the liquor



in the bag by its commuter namely Pravesh Bhuiyan. He has been falsely implicated in the case. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 12.07.2018.

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 Addl. Sessions Judge-VII cum Special Judge, Excise, Aurangabad in connection with Amba P.S. Case No. 60 of 2018.

(Prakash Chandra Jaiswal, J)

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