

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18508 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- SAMASTIPUR District- Samastipur

Arjun Rai, S/o Late Baleshwer Rai, Resident of Village- Kowaiet, P.S.-
Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Samastipur Town P.S. Case no. 46 of 2018 registered under
Section 30(a) of Bihar Prohibition & Excise Act-2016.

245 lts. of fermented toddy is said to have been
recovered from the Bolero vehicle and petitioner who happens
to be driver of the said vehicle was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized toddy. As a matter of fact, the aforesaid article was
being carried in the plastic jerkin by its commuter without



knowledge of the petitioner about its contents who managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 12.02.2018. The charge-sheet in the case has already been submitted.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Samastipur Town P.S. Case no. 46 of 2018.

(Prakash Chandra Jaiswal, J)

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