

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26456 of 2018

Arising Out of PS. Case No.-182 Year-2018 Thana- MOTIPUR District- Muzaffarpur

Arjun Rai, Son of Jagdish Rai, Resident of village- Banvira, P.S.- Tajpur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -2

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

ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Motipur P.S. Case No. 182 of 2018 registered under Sections
272, 273 of the Indian Penal Code and Sections 30(a), 38(1) and
41 of Bihar Prohibition and Excise Act-2016.

3302.28 lts. of foreign liquor is said to have been
recovered from a truck and petitioner who happens to be its
driver and its khalasi, namely, Sudhir Kumar were 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 liquor. He happens to be driver of the



aforesaid truck and had no knowledge of keeping of liquor in the said truck. He has no criminal antecedent. He has been languishing in custody since 17.03.2018. Chargesheet in the case has already been submitted.

On the other hand, learned APP vehemently opposed the bail prayer of the petitioner and submitted that the petitioner happens to be driver of the aforesaid truck and huge quantity of foreign liquor has been recovered from the said truck. Hence, the petitioner does not deserve bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

