

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48353 of 2018

Arising Out of PS. Case No.-283 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Lalo Goswami, Son of Late Gonu Goswami, Resident of Village- Sahuri,
P.S.- Birpur, District- Begusrai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Opposite Party/s : Mr. Akshay Lal Pandit

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

ORAL ORDER

4 27-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Begusarai
Muffasil P.S. Case no. 283 of 2018 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

1260 lts. of foreign liquor is said to have been
recovered from Bolero pick-up van and petitioner who happens
to be its driver 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 liquor. He happens to be driver of the vehicle in



question and was plying the same without any knowledge of keeping of liquor in its trolley by its owner. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 27.05.2018. 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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Begusarai Muffasil P.S. Case no. 283 of 2018.

(Prakash Chandra Jaiswal, J)

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