

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24119 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- MASRAKH District- Saran

Shyam Sundar Son of Sripal resident of Village- Tilpat, P.S. Sarai Khurja
(Sarai Khwaja), District- Faridabad, Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Smt. Pushpa Sinha

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

ORAL ORDER

3 18-06-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Mashrakh P.S. Case No. 2 of 2018 registered under Sections
272, 273 of the Indian Penal Code and Sections 30(a), 30(c), 45
and 47 of the Bihar Prohibition and Excise Act-2016.

1131.840 lts. of foreign liquor is said to have been
recovered from a truck kept in the cartoon and the petitioner
who happens to be driver of the said truck 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 has been falsely implicated



in this case. He happens to be simple driver of the truck in question and was transporting the cartoon without any knowledge of contents of the said cartoon at the instruction of owner of the truck, namely, Jeeto Babu, Dharmendra Kumar Singh and transporter. He has no criminal antecedent. He has been languishing in custody since 5.01.2018. 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 6th, Saran at Chapra in connection with Mashrakh P.S. Case No. 2 of 2018.

(Prakash Chandra Jaiswal, J)

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