

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19529 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- KALYANPUR District- Samastipur

Somvir son of Sri Krishnamallik @ Sri Krishna Resident of Village - Pinana,
P.S. - Mohna, Distt. - Sonipat, State - Haryana.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Smt. Rita Verma

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

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case no. 7 of 2018 registered under Sections
272, 273 of I.P.C. and Sections 30(a), 38, 38(1), 38(2) and 47
Bihar Prohibition & Excise Act-2016.

35.25 lts. of foreign liquor is said to have been
recovered from the Mahindra Xylo car and four persons
including the petitioner were apprehended while three managed
to escape and on their disclosure, 72 lts. of foreign liquor is said
to have been recovered from the house of Pappu Jha.

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 either with the seized liquor or with the vehicle in question or with the place of recovery. He happens to be simple commuter of the said vehicle and had no knowledge of keeping the said liquor in the aforesaid vehicle. He had also not disclosed about hiding of liquor by Pappu Jha in his house. He has no criminal antecedent. He has been languishing in custody since 15.01.2018.

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-III-cum-Special Judge (Excise), Samastipur in connection with Kalyanpur P.S. Case no. 7 of 2018.

(Prakash Chandra Jaiswal, J)

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