

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24280 of 2018**

Arising Out of PS.Case No. -32 Year- 2018 Thana -RAMGARHWA District-  
EASTCHAMPARAN(MOTIHARI)

=====

Vicky Kumar, Son of Niranjana Choudhary, Resident of Village- Hardiya,  
P.S.- Raghunathpur, Turkauliya, District- East Champaran.

.... .... 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. Sri Bal Mukund Prasad Sinha

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

2      30-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 272 and 273 of the Indian Penal  
Code and Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

157.800 litres of Nepali saufi wine and 23 litres of  
Kasturi wine are said to have been recovered from the tempo and  
the 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 the  
conscious physical possession of the petitioner. He has no concern



with the seized liquor. He has been falsely implicated in the case. He had no knowledge of carrying of the said liquor in the jute bag on his vehicle by its commuter who managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 22.02.2018.

Considering the facts aforesaid, 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 Addl. District and Sessions Judge-IV- cum Special Judge, Excise, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No. 32 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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