

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24579 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -DHANKUND District- BANKA

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1. Fantush Mandal S/o Babulal Mandal, R/o Vill.- Khurd Dumaria, P.S.- Hanbara, District- Godda (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

8 liters of foreign liquor is said to have been recovered from the motorcycle on which the petitioner was sitting as a pillion rider while the driver of the motorcycle managed to escape seeing the police party.

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 either with the seized liquor or the motorcycle in question. He had



simply taken lift from its driver as a pillion rider and was riding on the same at the time of occurrence without knowing the contents of the bag kept on the motorcycle. He has no criminal antecedent and has been languishing in custody since 22.02.2018.

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 Sessions Judge-II, Banka in connection with Dhankund P.S. Case No.20 of 2018.

(Prakash Chandra Jaiswal, J.)

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