

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32674 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- DAGARUA District- Purnia

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Raj Kumar Sah, S/o Pradip Kumar Sah, resident of Village- Dhamdaha Uttar,
P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-06-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Special
Excise Case No. 446 of 2018 for the offence under sections 272
and 273 of the Indian Penal Code and Section 30 (A) of the
Bihar Prohibition Act and Excise Act.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He further submits that
70.920 liters of foreign liquor was recovered from the car which
was driven by the petitioner.

Learned counsel for the petitioner submits that the car
does not belong to this petitioner. He was not owner of the
liquor. He was simply driver of the car and as such he not no
knowledge about the liquor contained in the cartoon.



Learned counsel submits that considering the fact that the petitioner has no criminal antecedent and he was not owner of the vehicle or the cartoon contained liquor, deserves bail.

Considering the fact that petitioner has remained in custody for nearly one month and he has no criminal antecedent, let the petitioner, named above, 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 learned 2nd Addl. Sessions Judge cum Special Judge (Excise Act), Purnea, in connection with Special Excise Case No. 446 of 2018, arising out of Dagarua P.S. Case No. 81 of 2018.

(Anil Kumar Upadhyay, J)

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