

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35522 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- KUTUMBA District- Aurangabad

Himanshu Kumar @ Bittu Kumar Son of Vijay Singh Resident of Village -
Pipara Dhibra, P.S. Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kutumba
P.S. Case No. 68 of 2018 registered under Sections 30(a), 38(ii)
of Bihar Prohibition and Excise Act-2016 and Section 414 of
I.P.C.

400 lts. of country made liquor kept in the dickey of
Alto car was seized and driver of the vehicle, namely, Rohit
Kumar and petitioner sitting in the said car were 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 either
with the seized liquor or with the vehicle in question. He has



been falsely implicated in this case. He happens to be simple commuter and was travelling by the said car taking lift from its driver without any knowledge of keeping of liquor in the dickey of the said car. He has no criminal antecedent. He has been languishing in custody since 13.05.2018.

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 Addl. Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad in connection with Kutumba P.S. Case No. 68 of 2018.

(Prakash Chandra Jaiswal, J)

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