

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44428 of 2018

Arising Out of PS.Case No. -160 Year- 2018 Thana -GAURICHAK District- PATNA

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Karu Kumar, S/o Manik Chandra Choudhary alias Munna Choudhary,
resident of Chamardih, P.S.- Gaurichak, Dist.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 27-07-2018 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.

40 litres of toddy is said to have been recovered
from the tempo and its driver managed to escape while the
petitioner sitting in the said tempo 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
either with the seized toddy or with the vehicle in question. He has
been falsely implicated in the case. He happens to be simple



commuter of the aforesaid vehicle and was travelling in it without any knowledge of keeping of the said toddy in the tempo by its driver who managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 02.06.2018.

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 Special Judge, Excise Act, Patna in connection with Special Case No. 5140 of 2018 arising out of Gauri Chak P.S. Case No. 160 of 2018.

(Prakash Chandra Jaiswal, J)

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