

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46995 of 2018

Arising Out of PS.Case No. -560 Year- 2018 Thana -MOTIPUR District- MUZAFFARPUR

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Ram Kumar Singh, S/o Late Suryadeo Prasad Singh, resident of village near
Middle School Dharampur (Jarang), P.S.-Belsar, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitu Kumari

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a), 38(1) and 41 of the Bihar Prohibition
and Excise Act, 2016.

210 litres of spirit is said to have been recovered
from the dickey of the Hundai car 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 spirit. He happens to be driver of the said vehicle
and was plying the same as per the instruction of his owner



without any knowledge of keeping of the spirit in the dickey of the aforesaid car by its owner. He has no criminal antecedent. He has been languishing in custody since 28.06.2018.

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, Muzaffarpur in connection with Motipur P.S. Case No. 560 of 2018.

(Prakash Chandra Jaiswal, J)

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