IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36947 of 2018

Arising Out of PS.Case No. -120 Year- 2018 Thana -KUCHAIKOTE District- GOPALGANJ

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Sunil Kumar S/o Balbir Chaudhary, R/o Surpura, P.S.- Bahal, Distt.- Bibani, (Hariyana).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:
For the Petitioner/s : Mr. Sushil Kumar
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 23-07-2018 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 30(a)(b)(c), 38 and 41(a)(b) of the Bihar Prohibition and Excise Act, 2016.

231 litres of foreign liquor is said to have been recovered from the Innova Car and the petitioner who happens to be its driver was apprehended while two other accused persons managed to escape alighting from the said car.

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 liquor. He happens to be driver of the aforesaid car

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and he had no knowledge of keeping of the aforesaid liquor in the dickey and under the rear seat by its commuter who managed to escape seeing the police party leaving the aforesaid liquor in the car. He has no criminal antecedent. He has been languishing in custody since 05.05.2018.

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 A.D.J.-II cum Special Judge, Gopalganj in connection with Kochaikote Case No. 120 of 2018.

(Prakash Chandra Jaiswal, J)

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