

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46342 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Ravi Sahani, Son of Munnilal Sahani, Resident of Village- Majuraha, P.S.-
Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Uday Pratap Singh

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

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case No. 154 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

156 lts. of Nepali wine is said to have been
recovered from tempo and 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 conscious
physical possession of the petitioner. He has no concern with the
seized liquor. He happens to be driver of the tempo in question



and he had no knowledge of carrying liquor in the bag in its tempo by its commuter, who managed to escape leaving the aforesaid bag in his tempo seeing personnel of Excise Department and petitioner was apprehended merely on suspicion by the personnel of Excise Department. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 30.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Motihari, East Champaran in connection with Excise Case No. 154 of 2018.

(Prakash Chandra Jaiswal, J)

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