

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46020 of 2018

Arising Out of PS.Case No. -441 Year- 2018 Thana -KHAZANIHAT District- PURNIA

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1. Ajay Kumar Das Son of Sri Narayan Das@ Shiv Narayan Das Resident
of Village/ P.O. and P.S. Korha, District- Katihar(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamteshwar Prasad

For the Opposite Party/s : Mrs. Anita Kumari

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

ORAL ORDER

03 23-08-2018

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 Sections 272 & 273 of the Indian Penal
Code and Section 30 (A) of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioner seeks permission to
make correction in the first paragraph of the petition and in the
prayer portion regarding case number during the course of the
day..

Permission is granted.

Learned counsel for the petitioner is directed to make
the aforesaid correction in course of the day.

149.880 liters of foreign liquor is said to have been
recovered from the dickey of the car and the petitioner who



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happens to be driver of the car along with one commuter, namely, Laltu Kumar Paswan 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 liquor. The petitioner happens to be driver of the car in question and he had no knowledge of keeping of the said liquor in the dickey of the car. He was simply plying the car on instructions of his owner. He has been falsely implicated in this case. He has no criminal antecedent and has been languishing in custody since 28.06.2018. The said Laltu Kumar Paswan has been enlarged on bail by this Court in Cr. Misc. No.45163 of 2018 vide order dated 25.07.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise, Purnea in connection with Khat (Margana) P.S. Case No. 441 of 2018 and Special Excise Case No. 621 of 2018.

(Prakash Chandra Jaiswal, J)

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