

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51411 of 2018

Arising Out of PS.Case No. -219 Year- 2018 Thana -BRAHMPURA District- MUZAFFARPUR

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Md. Firoj, S/o. Md. Mumtaj, R/o. Village- Patti Aswari Banjaria, P.S.-
Kathiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 21-08-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

One electrical box containing 52.92 liters of foreign
liquor unloaded from the bus is said to have been recovered from
the 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 the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. He has been falsely implicated in the case.
The electrical box was loaded in his tempo from the bus by a



person, who managed to escape leaving the aforesaid box in his tempo seeing the police personnel and petitioner had no knowledge of keeping of the liquor in the said box. He has no criminal antecedent. He has been languishing in custody since 11.07.2018.

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 Brahmpura P.S. Case No. 219 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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