

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26249 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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Manish Gupta, Son of Dilip Gupta @ Dilip Kr. Gupta, R/o Village + Post
Office- Khori Pakar, P.S.- Fefana, District- Balia (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. R. Griyaghey
		Mr. Anshu Dhar Sharma
		Mr. Ravi Shankar
		Mr. Sunil Kumar
For the Opposite Party/s :		Mrs. Renu Kumari

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

ORAL ORDER

3 18-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case no. 65(0) of 2018 registered under Sections 30(a) and 13
of Bihar Prohibition and Excise Act-2016.

190.08 lts. of foreign liquor is said to have been
recovered from Ertiga Maruti Suzuki Car and petitioner who
happens to be driver of the said car and co-accused, namely,
Prince Tiwary were apprehended while one other accused
managed to escape alighting from the vehicle.

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 been falsely implicated in this case. He has no concern with the seized liquor. He happens to be driver of the vehicle in question and was transporting the cartoon without knowing its contents at the instruction of its owner. He has no criminal antecedent. He has been languishing in custody since 29.03.2018. Co-accused, namely, Prince Tiwary has been enlarged on bail by this Court vide order dated 01.05.2018 passed in Cr. Misc. no. 25139 of 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 District and Sessions Judge-2nd-cum-Special Judge, Excise, Buxar in connection with Excise Case no. 65(0) of 2018.

(Prakash Chandra Jaiswal, J)

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