

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48180 of 2018

Arising Out of PS.Case No. -117 Year- 2018 Thana -THAWE District- GOPALGANJ

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1. Ram Nath Gupta, Son of Hari Gupta, Resident of Village- Bahadurpur
Kalwari Tola, P.S.- Tareya Sujan, P.O.- Bahadurpur, Distt- Kushi Nagar
(U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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

02 07-08-2018 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), 35 and 38 of the Bihar
Prohibition and Excise Act, 2016.

77.760 liters of foreign liquor is said to have been
recovered from the Xylo car 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. The petitioner happens to be driver of the vehicle in



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question and he had no knowledge of keeping the said liquor in carton in the vehicle by its commuter who managed to escape leaving the liquor in the car. He has been falsely implicated in this case merely on suspicion. He has no criminal antecedent and has been languishing in custody since 28.06.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise, Gopalganj in connection with Thawe P.S. Case No.117 of 2018.

(Prakash Chandra Jaiswal, J)

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