

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52765 of 2018

Arising Out of PS.Case No. -480 Year- 2018 Thana -BARACHATTI District- GAYA

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Rana Nikhil, Son of Rana Deo Ranjan Singh, Resident of village – Nagwan,
P.S.-Gurua, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018 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 30(a), 38 and 47 of the Bihar
Prohibition and Excise Act, 2016.

96 litres of beer is said to have been recovered from
the Maruti car and the 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 beer. He happens to be driver of the said
vehicle and was plying it as per the instruction of its owner
to the drop the carton at the destination without any



knowledge of keeping of the beer in the carton. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 19.07.2018.

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, Gaya in connection with Barachatti P.S. Case No. 480 of 2018.

(Prakash Chandra Jaiswal, J)

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