

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7982 of 2019

Arising Out of PS. Case No.-228 Year-2018 Thana- GUTHANI District- Siwan

Chandan Kumar, S/o Srikant Prasad, Mohalla-Sahebganj, Sonarpatti, P.S-Town, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 30.09.2018 in connection with Guthani P.S. Case No.228 of 2018 registered for the offences punishable under Sections 30(a), 38(i), 41(i) of Bihar Prohibition and Excise Act.

Prosecution case as per the FIR is that from the Scorpio vehicle, 46 litres 500 ml Pride Rare Premium whiskey and 5 litres illicit foreign liquor were recovered and two persons were apprehended namely, Chandan Kumar and Barun Kumar Jaisawal, the driver of the intercepted vehicle.

It is submitted by learned counsel for the petitioner that the the petitioner had no knowledge about liquor being loaded in the alleged vehicle. It is further submitted that



investigation has already been concluded.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that the alleged vehicle was being driven by the petitioner.

Considering the fact that the investigation has already been concluded and recovery has been made from the vehicle, the actual owner of the vehicle in question has not been ascertained and period under custody, let the above named petitioner 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 learned Addl. Sessions Judge, 2nd, - cum-Special Judge(Excise) Siwan in connection with Guthani P.S. Case No.228 of 2018.

(Dinesh Kumar Singh, J)

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