

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4500 of 2019

Arising Out of PS. Case No.-731 Year-2018 Thana- ARA NAGAR District- Bhojpur

Rakesh Kumar @ Raja, aged about 26 years, Male, Son of Rajendra Prasad,
Resident of village- Mirganj, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

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

ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

87.990 litres of foreign liquor is said to have been
recovered from the Wagon R car and the petitioner who is said
to be driver of the said vehicle was apprehended while owner of
the vehicle managed to escape.

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. He happens to be driver of the said vehicle and was



plying it without knowledge of keeping of the liquor in the carton by its owner. He has no criminal antecedent. He has been languishing in custody since 05.12.2018.

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 A.D.J.-IV cum Special Judge, Bhojpur, Ara in connection with Excise Case No. 2210 of 2018 arising out of Ara Town P.S. Case No. 731 of 2018.

(Prakash Chandra Jaiswal, J)

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