

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13241 of 2019

Arising Out of PS. Case No.-391 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

MANAWAR son of Aash Mohammad, Resident of Village-Gaushpur Ammy,
P.S.-Aahir Sindhauli, District-Bagpat(U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Kuchaikote P.S. Case No. 391 of 2018 registered for the offence punishable under Sections 30(a), (b) (c), 38 & 41(a) (b) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 1745 litres of illicit liquor from a D.C.M. Truck and the petitioner and one other co-accused person were apprehended who are said to be the driver and the assistant driver.

The learned counsel for the petitioner submits that the petitioner is merely the assistant driver of the said truck and he has nothing to do with the loaded liquor which was seized from the said truck inasmuch as the load was loaded by the



consigner and not by the petitioner, hence the petitioner cannot be connected with the alleged illicit liquor recovered by the police. It is further submitted that the petitioner has a clean antecedent and is languishing in custody since 27.12.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-2nd-cum-Special Judge, Excise Act, Gopalganj in connection with Kuchaikote P.S. Case No. 391 of 2018.

(Mohit Kumar Shah, J)

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