

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12377 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- PARSABAZAR District- Patna

Dipak Kumar, Son of Darshan Sah, Resident of Mohalla - Gorakhnath Patna,
P.S.- Patna Sadar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ahmad Faheem Khan, Advocate. Mr. Hemant Kumar, Advocate.
For the Opposite Party/s	:	Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

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

The petitioner seeks bail in anticipation of his arrest in connection with Parsa Bazar P.S. Case No. 140 of 2018 dated 20.05.2018 arising out of Special Case No. 4818 of 2018 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

Two of the passengers of a three wheeler of which the petitioner is the driver were caught with 110 litres of liquor.

Learned counsel for the petitioner has submitted that he did not have any idea that the two persons who were sitting in the vehicle plied by the



petitioner were carrying liquor with them. No connection has been found between the petitioner and the two other accused persons who were caught with the liquor. The aforesaid two persons were not gratuitous passengers but had paid the fare of the auto.

Regard being had to the aforesaid facts and taking into account the clean antecedent of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Court, Excise, Patna in connection with Parsa Bazar P.S. Case No. 140 of 2018 arising out of Special Case No. 4818 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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