

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16784 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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RAJU KUMAR CHAURASIYA @ RAJU PRASAD S/o- Lal Babu
Chaurasiya R/o Village- Bairiya, P.S.- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
02.02.2019 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that one Sumo vehicle was
intercepted in which three persons were found travelling
including the petitioner and from the said vehicle, 500 litres of
illicit country made liquor were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner was simply a passenger of the vehicle in
question and he was not aware about the illicit liquor being
carried in the said vehicle. It is further submitted that the
petitioner has no concern either with the said liquor or with the
intercepted vehicle in question. A statement to that effect has



been made in paragraph no.8 of the petition. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the vehicle in question in which the petitioner was found sitting along with other co-accused persons.

Considering the fact that the recovery has been made from the commercial vehicle and the prosecution report does not suggest that the actual ownership of the vehicle in question has been ascertained coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Special Judge, Excise Act, Patna in connection with Special Case No. 1206 of 2019, arising out of Agamkuan P.R. P.S. Case No. 163 of 2019.

(Dinesh Kumar Singh, J)

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