

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19567 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- NARPATGANJ District- Araria

Sonu Mandal @ Krishna Mandal, Son of Brajesh Mandal, Resident of Village
- Raghunathpur, Ward No.03, P.S.- Barsoi Bazar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mrs.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
12.02.2019 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that from an auto rickshaw driven by the
petitioner, 97.92 litres of illicit foreign liquor were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner was simply a driver of the alleged auto
rickshaw and in fact, the said liquor was being transported by
one of the passengers, which the petitioner was not aware of. It
is further submitted that the recovery cannot be treated from
which the petitioner was not aware of conscious physical
possession of the petitioner and a statement has been made in



paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from an auto rickshaw which was driven by the petitioner.

Considering the recovery from a public transport and statement being made in paragraph 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 2nd Additional Sessions Judge -cum- Special Judge, Araria in connection with Special Case No. 203 of 2019, arising out of Narpatganj P.s. Case No. 85 of 2019.

(Dinesh Kumar Singh, J)

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