

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20456 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- SITAMARHI District- Sitamarhi

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Ujjawal Kumar @ Ujjawal Kumar, Son of Sanjay Kumar Chaudhary, Resident
of Village - Kharaunadih, P.S.- Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 05.02.2019 in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 162.040 litres of Indian Made Foreign Liquor were recovered from a Bolero vehicle and petitioner was found sitting in the said vehicle.

It is submitted by learned counsel for the petitioner that the petitioner was merely a passenger in the said vehicle in question and he was not knowing about the seized illicit liquor kept in the



vehicle. It is further submitted that petitioner is not the owner of the said vehicle in question and a statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“12. That, it is stated that the petitioner is neither the owner of the said vehicle nor he has no concern with the said seized wine, so the allegation against the petitioner is completely false and fabricated, therefore, the petitioner deserves to be release on bail.”

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

Learned APP submits that recovery has been made from the vehicle in which petitioner was found travelling

Considering the fact that the petitioner was merely a passenger in the vehicle in question and statement has been made in paragraph no.12 of the petition that the petitioner is not the owner of the said vehicle in question, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned **ADJ-II-cum-Special Judge, Excise Act, Sitamarhi** in



connection with **Sitamarhi P.S. Cae No.86 of 2019.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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