

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20855 of 2019

Arising Out of PS. Case No.-341 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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Krishna Kumar, son of Sikandar Thakur, Resident of Village-Pasraha, Police
Station-Pasraha, District-Khagariya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
24.12.2018 in connection with Excise P.S. Case No.341C2 of
2018 registered for the offence punishable under Section 30(a)
of Bihar Excise Prohibition Amendment Act.

The prosecution case is that on a secret information, a
Bolero vehicle was intercepted from which 306 litres of Indian
Made Foreign Liquor were recovered. The petitioner was the
driver of the vehicle in question.

It is submitted by learned counsel for the petitioner
that the recovery has not been made from the conscious physical
possession of the petitioner. Petitioner was simply a driver of



the vehicle in question and the recovered liquor was kept by some other persons who escaped from the scene. It is further submitted that the petitioner is not having criminal antecedent, statement to that effect is made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the recovery has been made from the petitioner's bolero vehicle which was being driven by the petitioner.

Considering the nature of accusation, investigation already being concluded coupled with the fact that petitioner is not having criminal antecedent, let the above named petitioner be enlarged 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 A.D.J. 2nd Jamui in connection with Excise P.S. Case No.341C2 of 2018

(Dinesh Kumar Singh, J)

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