

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79322 of 2018

Arising Out of PS. Case No.-617 Year-2018 Thana- MANER District- Patna

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Nand Kishor Rai @ Jatahawa Rai Son of Tipan Rai Resident of Village-
Hulasi Tola, P.S.- Maner, District – Patna. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Opposite Party/s : Mr. Akshay Lal Pandit

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

32 liters of country made liquor is said to have been
recovered from a gallon kept on the motorcycle and the
petitioner sitting on the said motorcycle was apprehended.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the motorcycle in question. He
was simply riding on the said motorcycle as a pillion rider on
taking lift from its owner without being knowledge of keeping
the liquor on the motorcycle and the owner of the motorcycle



has been enlarged on bail by the learned lower Court. He has no criminal antecedent. He has been languishing in custody since 17.11.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Maner P.S. Case No.617 of 2018/Special Case No.10915 of 2018.

(Prakash Chandra Jaiswal, J)

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