

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22864 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- DESARI District- Vaishali

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Ramasankar Ray (male), aged about 45 years, Son of Sundeswar Ray,
Resident of Village-Terasiya, P.S-Ganga Bridge, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sharda Kumari

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

ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

200 litres of country made liquor is said to have
been recovered from Alto Car and the petitioner who happens to
be its driver 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 with the seized liquor. He happens to be driver of the
vehicle in question and had no knowledge of keeping of the



liquor in the vehicle by its owner. He was simply plying the vehicle at the instruction of its owner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 14.02.2019.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Additional Sessions Judge-II cum Special Judge, Vaishali, Hajipur in connection with Desri P.S. Case No. 41 of 2019.

(Prakash Chandra Jaiswal, J)

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