

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32856 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- KOPA District- Saran

NIRAJ KUMAR, aged about 19 years, Male, Son of late Gauri Mahto
Resident of Village - Dighwara, P.S.- Dighwara, Dist.- Saran at Chapra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 21-05-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

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

100 litre country made liquor was recovered from a
tempo and petitioner as well as one other FIR named accused
was found sitting in the aforesaid tempo. Petitioner does not
have any criminal antecedent and is languishing in jail custody
since 19.03.2019.

Submission on behalf of the petitioner is that
petitioner was a bona fide passenger and as a matter of fact, the
recovered liquor was being carried by the driver of aforesaid



tempo but it is surprisingly enough that name of driver of said tempo has not been disclosed in written report of the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge -cum-Special Judge (Excise), Saran at Chapra in connection with Kopa P.S. Case No. 40 of 2019.

(Hemant Kumar Srivastava, J)

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