

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32919 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- SIKANDRA District- Jamui

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Sachin Kumar Son of Somraj Resident of Village - Digiana Ward No. 8, P.S.-
Digmana Ashram, Distt - Jammu and Kashmir.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Ram Sumiran Rai

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

ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 272, 273, 467, 468, 471 and 420/34 of the Indian Penal
Code and Sections 30 and 30(a) of the Bihar Prohibition and
Excise Act.

3281.76 litres of foreign liquor is said to have
been recovered from a truck kept beneath the sack of the
vegetable and the petitioner who happens to be its driver and its
khalasi namely Kundan Kumar were 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



truck in question and he had no knowledge of keeping of the aforesaid liquor on the truck beneath the sack of the vegetable as after loading the aforesaid article on the truck, its owner directed the petitioner to drive it to the consignee. He has no criminal antecedent and has been languishing in custody since 01.04.2018. Earlier bail petition of the petitioner was rejected vide order dated 24.07.2018 with direction to the learned lower court to conclude the trial within six months, but uptill now only charge in the case has been framed and no witness has been examined by the prosecution as yet.

Learned APP for the State opposed the bail petition.

Considering the facts and circumstances of the case and period of custody of the petitioner, 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 A.D.J.-II, Jamui in connection with Sikandra P.S. Case No. 73 of 2018 with condition that one of the bailors must be local.

(Prakash Chandra Jaiswal, J)

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