

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38048 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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PINTOO KUMAR @ PINTU KUMAR Son of Shambhu Yadav Resident of
Village - Milkibagh, P.S.- Sherghaty , Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed this application for grant of
bail in connection with Excise Case No. 191 of 2019 registered
for the offence under Sections 30(Ka) and 56 (Kha) of the Bihar
Prohibition and Excise Amendment Act, 2018.

As per the prosecution report, the allegation is that in
course of search of tempo vehicle, total quantity of 300 litres of
illegal toddy was recovered from three persons including the
petitioner.

It is submitted by the learned counsel for the
petitioner that petitioner is not the owner of the vehicle instead
he is a professional driver. He had no knowledge as to what was



kept in the pots loaded on the tempo. He has no criminal antecedent and he is in custody since 10.04.2019.

It is submitted by learned APP that petitioner was caught at the place of occurrence along with toddy and it is not an appropriate case where bail be granted to him.

Having heard learned counsel for the petitioner and learned APP for the State and taking into consideration 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/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Gaya in connection with Excise Case No. 191 of 2019.

(Partha Sarthy, J)

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