

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63703 of 2019

Arising Out of PS. Case No.-686 Year-2018 Thana- HILSA District- Nalanda

CHANDAN KUMAR S/o Jaimangal Gope R/o village- Mosimapur Kurtha,
P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehend his arrest for the offences alleged under Sections 272 and 273 of the Indian Penal Code and Sections 30(a)/38/41 of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Prohibition Act’), registered in connection with Hilsa P.S. Case No. 686 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in the FIR allegation in connection with recovery of two bottles of 750 ml foreign liquor has been made only against the driver and *baratis*, who are said to have kept the incriminating goods under the driver’s seat of Sumo vehicle. There is no whisper of allegation against the petitioner to connect him with the alleged offence and as such, no offence



under the Prohibition Act is made out

4. In that view of the matter, the provisional bail granted to the petitioner, above-named, by order dated 23.10.2019 in connection with Hilsa P.S. Case No. 686 of 2018, pending in the court of ADJ-III-cum-Special Judge, Excise Act, Nalanda at Bihar Sharif is hereby confirmed.

(Vikash Jain, J)

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