

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72267 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- GUTHANI District- Siwan

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JAI SINGH @ MONU Son of Raj Kumar Resident of Village - Chara, P.S.-
Bahadurgarh, Distt - Jhajjhar, Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420, 465, 467, 468, 471 of
the Indian Penal Code and Section 30(a), 38(i), 41(i) of the
Bihar Prohibition and Excise Act, 2016.

5875.200 litres of foreign liquor is said to have
been recovered from the sealed tanker 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 either with the seized liquor or with any trade of liquor.



The petitioner happens to be driver of the vehicle in question and he had no knowledge of keeping of the said liquor in the sealed tanker of vehicle. He was directed by his owner to transport the tanker to destination without disclosing the contents of tanker. Charge sheet in the case has been submitted. There is no allegation of tampering with the evidence against the petitioner. He has no criminal antecedent and has been languishing in custody since 26.06.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, 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 ADJ-2-cum-Special Judge, Excise, Siwan in connection with Guthani P.S. Case No.100 of 2019.

(Prakash Chandra Jaiswal, J)

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