

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79292 of 2018

Arising Out of PS. Case No.-354 Year-2018 Thana- SHIVSAGAR District- Rohtas

Chandan Kumar Sah, son of Ramji Sah, resident of Village-Bilaspur, P.S.-
Kargahar, District- Rohtas. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinay Raj

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

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

ORAL ORDER

2 18-01-2019 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

225 liters of foreign liquor is said to have been recovered
from the dicky of the Sumo Victa car and the petitioner and two
others persons sitting on the said car were apprehended while
the driver managed to escape.

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 the vehicle in question. The
petitioner happens to be simple commuter and had no
knowledge of keeping of the liquor by its driver or its owner in



the said vehicle. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 28.10.2018.

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 2nd Additional District & Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Shivsagar P.S. Case No.354 of 2018.

(Prakash Chandra Jaiswal, J)

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