

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70605 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- BRAHMPUR District- Buxar

SARAL BIND @ AJAY CHOUDHARI Son of Late Chandrama Bind @
Mukhiya Bind Resident of Village - Gaighat, P.S.- Brahmpur, District- Buxar
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

35 litres of country made liquor is said to have
been recovered from the gunny bag kept on the motorcycle and
co-accused Dablu Kumar Singh was apprehended while
petitioner 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 with the seized liquor. Though he happens to be owner
of the aforesaid motorcycle, but he had



given the aforesaid motorcycle to Dablu Kumar Singh who happens to be his friend for plying the same and he had no knowledge of transporting liquor on the motorcycle by Dablu Kumar Singh. He was neither present at the place of occurrence at the time of occurrence nor escaped from there. He has been languishing in custody since 28.04.2019.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Buxar in connection with Brahmpur (Chaki O.P.) P.S. Case No. 156 of 2019.

(Prakash Chandra Jaiswal, J)

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