

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20545 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Sudhakar Kumar S/o Premchandra Gupta, R/o Village- Marwan, P.S.-
Karja, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, APP.

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

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Excise Case No. 48 of
2018, PR-81/17-18 registered under Section 30(a) of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

315 litres of toddy is said to have been recovered
from the tempo and its driver, namely, Sudhakar Kumar
(petitioner) and one other person namely Lakhendra Paswan
sitting on the said tempo were 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 happens to be mere driver of the said tempo and has no concern with the seized liquor. As a matter of fact, he was going to Bhagwanpur by the said tempo, but suddenly police arrested him and falsely implicated in the case planting aforesaid recovery from his tempo. He has no criminal antecedent. He has been languishing in custody since 06.03.2018.

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 Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 48 of 2018, PR-81/17-18.

(Prakash Chandra Jaiswal, J)

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