

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20446 of 2018

Arising Out of PS.Case No. -427 Year- 2017 Thana -PATLIPUTRA District- PATNA

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Raj Kumar Sharma S/o Sri Jitendra Sharma, R/o Village- Okari, P.S.-
Ghoshi, District- Jahanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ravindra Kumar, Advocate.
Mr. Braj Bhushan Poddar, Advocate.

For the Opposite Party/s : Mr. Abhay 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 Patliputra P.S. Case No.
427 of 2017 registered under Sections 419, 420, 467, 468, 471 and
120B of the Indian Penal Code and Sections 30(a), 38(1)(2) and
41(1) of the Bihar Prohibition and Excise Act, 2016.

1574 litres of foreign liquor is said to have been
recovered from the container and pickup van and the driver of the
container and four other persons including the petitioner 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 has no concern either with the aforesaid vehicle or with the seized liquor. He happens to be student and had arrived at the place of occurrence to take meal, in the meantime, he was apprehended by the police merely on suspicion. No other case under Excise Act has been lodged against the petitioner. He has been languishing in custody since 08.12.2017.

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 Act, Patna in connection with Patliputra P.S. Case No. 427 of 2017.

(Prakash Chandra Jaiswal, J)

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