

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21185 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -KAUAKOL District- NAWADA

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Shiv Kumar Das Son of Hari Das, Resident of Village-Bhalua, P.S.
Pakribarawan, District Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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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 Kawakol P.S. Case No.
40 of 2018 registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

100 litres of country made liquor is said to have
been recovered from the motorcycle being boarded by two
accused persons while the petitioner was escorting the aforesaid
motorcycle to facilitate the transportation of the aforesaid liquor.

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 accused persons from



whose motorcycle aforesaid liquor was seized. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. He has been falsely implicated in the case at the instance of his enemies. Though one more case has been lodged against the petitioner, but he is on bail in the said case. 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 A.D.J.-II cum Special Judge, Nawada at Kawakole in connection with Kawakol P.S. Case No. 40 of 2018.

(Prakash Chandra Jaiswal, J)

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