

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23166 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Rajeshwar Dubey S/o Late Amar Nath Dubey, R/o Vill.- Latiyahi, P.S.-
Adapur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Adapur P.S. Case No. 39
of 2018 registered under Sections 272, 273 and 414 of the Indian
Penal Code and Sections 30(a) and 37(b) of the Bihar Prohibition
and Excise Act, 2016.

9 litres of country made liquor is said to have been
recovered from the motorcycle parked on the open land located in
front of the house of the petitioner and the petitioner was
apprehended in inebriated condition.

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 motorcycle in question or with the place of recovery. He has not consumed any liquor. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 28.02.2018.

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 4th Additional Sessions Judge cum Special Judge, Excise, East Champaran at Motihari in connection with Adapur P.S. Case No. 39 of 2018.

(Prakash Chandra Jaiswal, J)

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