

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7058 of 2018

Arising Out of PS. Case No.-705 Year-2017 Thana- BARACHATTI District- Gaya

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Jasim Mian, Son of Alimmuddin, R/o Village- Gajaragadh, P.S.- Barachatti,
District- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Sanjay Kumar

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

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Barachatti P.S.
Case no. 705 of 2017 registered under Sections 30(a), 38, 47 of
Bihar Prohibition & Excise Act-2016.

80 lts. of country made liquor is said to have been
recovered from the Bolero vehicle during course of checking
and its commuter namely, Arun Kumar was apprehended, who
on quizzing, disclosed the name of the petitioner and others in
the occurrence.

It is submitted by learned counsel for the petitioner that the
petitioner has been falsely implicated in the case by the local
politician namely, Manoj Kumar. Petitioner was neither



apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern with the seized liquor. Petitioner has been languishing in custody since 25.11.2017. Similarly situated co-accused namely, Santosh Kumar and Piyush Yadav have been enlarged on bail by different co-ordinate Bench of this Court vide order dated 09.01.2018 passed in Cr. Misc. no. 62661 of 2017 and order dated 29.01.2018 passed in Cr. Misc. no. 4468 of 2018.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Bihar Excise Act, Gaya in connection with Barachatti P.S. Case no. 705 of 2017.

(Prakash Chandra Jaiswal, J)

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