

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23367 of 2018

Arising Out of PS.Case No. -70 Year- 2018 Thana -MASRAKH District- SARAN

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Rohit Kumar Son of Basant Singh Resident of Village- Chandbarwa, P.S.
Mashrak, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kamlesh Kumar

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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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 Masrakh P.S. Case No.
70 of 2018 registered under Sections 272 and 273 of the Indian
Penal Code and Sections 30, 30(a), 30(c), 38, 41 and 47 of the
Bihar Prohibition and Excise Act, 2016.

402 litres of foreign liquor is said to have been
recovered from the various vehicles such as trucks, Bolero and
Swift Dezire and the petitioner and other accused persons were
apprehended in the course of escaping from the said vehicle.

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 vehicle in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 18.03.2018.

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 6th A.D.J. Saran at Chapra in connection with Masrakh P.S. Case No. 70 of 2018.

(Prakash Chandra Jaiswal, J)

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