

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8552 of 2018

Arising Out of PS. Case No.-433 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Baidyanath Rai, son of Late Fakira Rai, Resident of Village- Paranti Unsar,
P.S.- Bochahan, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Excise Case
no. 433 of 2017 registered under Sections 30(a), 32(2) and 38 of
the Bihar Excise and Prohibition Act 2016.

189 lts. of foreign liquor is said to have been recovered
from the *Dalan* of the petitioner and petitioner was apprehended
while co-accused namely, Indrajit Kumar managed to escape.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from his conscious
physical possession rather the liquor was recovered from the
open *Dalan* which is accessible to all. He has no concern with
the seized liquor. He has no criminal antecedent. He has been



languishing in custody since 26.11.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Muzaffarpur, Bihar in connection with Excise Case no. 433 of 2017.

(Prakash Chandra Jaiswal, J)

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