

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24781 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

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Upendra Kumar S/o Satyanarayan Singh, R/o Vill.- Bhim Das Tola, P.S.-
Rangara, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sewak Prasad

For the Opposite Party/s : Mr. Pradeep Narayan Kumar, APP-205

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

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Rail P.S.
(Muzaffarpur) Case no. 28 of 2018 registered under Section
30(a) of Bihar Prohibition & Excise Act-2016.

57.750 lts. of foreign liquor is said to have been
recovered from the bag kept under berth of Awadh Assam
Express Train and petitioner and three accused persons sitting
on the said berth were apprehended. Said liquor is said to have
been hailing to the aforesaid accused persons.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or with the bag containing the same. He was simply commuter of the aforesaid train and had no knowledge of keeping of the said liquor beneath his berth. He has no criminal antecedent. He has been languishing in custody since 21.02.2018.

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 in connection with Rail P.S. (Muzaffarpur) Case no. 28 of 2018.

(Prakash Chandra Jaiswal, J)

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