

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22537 of 2018**

Arising Out of PS.Case No. -10 Year- 2018 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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CHANDRAKANT PRASAD @ CHANDARKANT PD. S/o Sri Nandu  
Mahto, R/o Vill.- Ishapur (Simri), P.S.- Vidyapati Nagar, District-  
Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Md. Sufiyan

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

2      17-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Vidyapatnagar P.S.  
Case No. 10 of 2018 registered under Sections 272 and 273 of the  
Indian Penal Code and Sections 30(a), 35(a)(b), 38(1)(2) and 47 of  
the Bihar Prohibition and Excise Act, 2016.

360 ML foreign liquor is said to have been  
recovered from the possession of the petitioner while 43.44 litres  
from his house.

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



with the seized liquor. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said liquor in the house. He has no criminal antecedent. He has been languishing in custody since 21.02.2018.

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 3<sup>rd</sup> Additional Sessions Judge cum Special Judge, Excise Act, Samastipur in connection with Vidyapatnagar P.S. Case No. 10 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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