IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25381 of 2018

Arising Out of PS.Case No. -45 Year- 2018 Thana -MANSI District- KHAGARIA

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Bipin Kumar, S/o Surendra Singh, resident of Village- Laxmipur, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

65 litres of foreign liquor is said to have been recovered from the E-rickshaw and its driver managed to escape while the petitioner sitting on the said e-rickshaw was apprehended.

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 e-rickshaw in question. He

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happens to be student and was travelling on e-rickshaw to appear in the examination at the time of occurrence and had no knowledge of keeping of the liquor in the said e-rickshaw by its driver who managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 08.03.2018.

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 Addl. Sessions Judge-III cum Special Judge, Excise, Khagaria in connection with Mansi P.S. Case No. 45 of 2018.

(Prakash Chandra Jaiswal, J)

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