

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25640 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -MAUZAHDIPUR District- BHAGALPUR

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Kapildev Prasad Kapil, son of Late Sahdeo Yadav, resident of village
Teacher Colony Maheshpur, P.S. Babarganj, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 26-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

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

97 liters of foreign liquor is said to have been
recovered from the 'Basa' (straw house) of the petitioner and
petitioner was apprehended while other accused persons managed
to escape.

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 been
falsely implicated in this by his co-villager due to land dispute. He
has no concern either with the seized liquor or the place of



recovery. He has no criminal antecedent and has been languishing in custody since 03.03.2018.

In the facts and circumstances of the case, 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 Special Judge Excise, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No.40 of 2018.

(Prakash Chandra Jaiswal, J)

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