

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25391 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -MAJORGANJ District- SITAMARHI

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Viky Kumar @ Vicky Kumar, son of Baidnath Rai, resident of Village-
Govind Fandah, Police Station and District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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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.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

36.88 litres of Nepali saufi wine is said to have been
recovered from the motorcycle of the petitioner and the petitioner
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 motorcycle in question. As



a matter of fact, aforesaid motorcycle was kept abandoned on the road located in front of Supy Block and as the petitioner was passing through the aforesaid place at the time of occurrence, he was apprehended by the police merely on suspicion. He has been languishing in custody since 28.03.2018.

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. District Judge-II cum Special Judge, Excise, Sitamarhi in connection with Majorganj (Supy O.P.) P.S. Case No. 108 of 2018.

(Prakash Chandra Jaiswal, J)

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