

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23117 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -NAUGACHIA District- BHAGALPUR

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Amit Kumar @ Boudha Son of Rambilash Prasad Yadav@ Rambilash
Yadav Resident of Village - East thatha, P.S. Mansi, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) and 38(1) of the Bihar
Prohibition and Excise Act, 2016.

144.720 litres of foreign liquor is said to have been
recovered from the Hyundai car and its driver namely Keshav
Kumar and the petitioner sitting in the said car were 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 vehicle in question. He
was also not sitting in the said car. He has been falsely implicated



in the case by the police merely on suspicion while he was standing near the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 08.02.2018.

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 Special Judge, Excise, Bhagalpur in connection with Naugachhia P.S. Case No. 28 of 2018.

(Prakash Chandra Jaiswal, J)

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