

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31335 of 2018

Arising Out of PS.Case No. -70 Year- 2018 Thana -ROSERA District- SAMASTIPUR

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Abhishek Kumar, S/o Shiv Prayag Thapa, r/v Nayak Tola, P.S.-Rosera,
District-Samastipur (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 21-05-2018 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 30 (a) (e) and 38(1) of the
Bihar Prohibition and Excise Act, 2016.

61.520 liters of foreign liquor is said to have been
recovered from the house of Ram Sahani and from the motorcycle
of Kailash Mahto, which was parked in the said house. The
petitioner along with other accused persons were apprehended
from the said 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. He has been falsely implicated in this case



by the police merely on suspicion while he had gone to the house of co-accused Ram Sahani for personal work at the time of occurrence. 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 3rd Additional Sessions Judge-cum-Special Judge Excise, Samastipur in connection with Rosera P.S. Case No. 70 of 2018.

(Prakash Chandra Jaiswal, J.)

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