

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32518 of 2018**

Arising Out of PS. Case No. -196 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-  
EASTCHAMPARAN (MOTIHARI)

=====

Rakesh Kumar, S/o Diplal Sahani, R/o Village- Lalbegiya, P.S.- Chiraiya,  
District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**

ORAL ORDER

2      05-06-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Excise  
Case No. 196 of 2018 for the offence under Section 30(a) of the  
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the  
petitioner has no criminal antecedent and he is in custody since  
30.04.2018. He further submits that the liquor was not recovered  
from the conscious possession of the petitioner. He submits that  
19.2 litres Nepalee Soffy liquor was recovered behind the Gumti  
and, as such, the petitioner cannot be fastened with the  
accountability of trading liquor.

Considering the fact that the petitioner has no  
criminal antecedent and has remained in custody for more than



one month, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Motihari in connection with Excise Case No. 196 of 2018.

**(Anil Kumar Upadhyay, J)**

Uday/-

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