

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34145 of 2018

Arising Out of PS.Case No. -180 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Motiur Rahman S/o Late Nek Mohammad Shekh, R/o Vill.- Majharia,
P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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

03 27-06-2018 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.

96 liters of Nepali wine is said to have been recovered from
the motorcycle of the petitioner and 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 with the
seized liquor. He has been falsely implicated in this case by the
personnel of Excise Department by planting the aforesaid recovery



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from his possession due to exchange of hot words between the petitioner and the personnel of Excise Department. He has no criminal antecedent and has been languishing in custody since 19.04.2018.

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 4th Additional Sessions Judge-cum-Special Judge Excise, East Champaran at Motihari in connection with Excise Case No.180 of 2018.

(Prakash Chandra Jaiswal, J)

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