

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35770 of 2018**

Arising Out of PS.Case No. -78 Year- 2018 Thana -NAWADA MUFFASIL District- NAWADA

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Dinesh Kumar, Son of Yugal Mistri    resident of Pathra    English P.S  
Mufassil, Distt.- Nawada.

....    ....    Petitioner/s

Versus

The State of Bihar.

....    ....    Opposite Party/s

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**Appearance:**

For the Petitioner/s                        :    Mr. Pramod Kumar Verma

For the Opposite Party/s                :    Smt. Reena Sinha

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

2        29-06-2018                                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 30(d) of the Bihar  
Prohibition and Excise Act, 2016.

136 litres of foreign liquor is said to have been  
recovered near the saw mill of Gopal Mistry and the petitioner and  
two other accused persons standing near the saw mill 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 place of



recovery. He happens to be labourer and was standing at the place of occurrence at the time of occurrence and has been falsely implicated by the police merely on suspicion while real culprit managed to escape dumping the aforesaid liquor there seeing the police party. He has no criminal antecedent. He has been languishing in custody since 14.05.2018. Similarly situated co-accused, namely, Upendra Kumar and Manoj Kumar have been enlarged on bail by this court vide order dated 22.06.2018 passed in Cr. Misc. No. 35004 of 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. Sessions Judge-II cum Special Judge, Nawada in connection with Mufassil P.S. Case No. 78 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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