

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38647 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Ramfal Chaudhari S/o Late Radhunandan Chaudhary, R/o Vill.- Vinowa
Nagar, P.S.- Magadh Medical, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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

02 03-07-2018 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), 38(a), 37(b) (c) of the Bihar
Prohibition and Excise Act, 2016.

20 liters country made liquor and 60 liters of raw material
are said to have been recovered from the house of the petitioner
and petitioner and other accused persons consuming wine in the
aforesaid house were apprehended. Petitioner was allegedly
vending the liquor in the aforesaid house.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from the conscious



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physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery or with any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. There is no compliance of Section 100 Cr.P.C. The chargesheet in the case has already been submitted. He has no criminal antecedent and has been languishing in custody since 16.03.2018.

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 Special Excise Judge, Gaya in connection with Magadh Medical P.S. Case No. 55 of 2018.

(Prakash Chandra Jaiswal, J)

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