

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34110 of 2018

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1. Sanjiv Sao S/o Late Upendra Sao, R/o Vill.- Kakraul, P.S.- Rahika,
District- Madhubani Present Add.- C/o Ramanand Rai, R/o Dijrachak,
Anisabad (Lal Mandir), P.S.- Gardanibag, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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

03 19-06-2018

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 (d) of the Bihar Prohibition
and Excise Act, 2016.

570 Kgs. of Mahua flower is said to have been
recovered from the tempo and the petitioner is said to be driver of
the said tempo was apprehended while another accused Vikash
Ram owner of the said Mahua and the owner of the vehicle
managed to escape.

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 the vehicle in question. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence while the real culprit managed to escape seeing the police party. He has no criminal antecedent and has been languishing in custody since 29.03.2018.

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 Judge Excise Act, Patna in connection with Kotwali P.S. Case No. 100 of 2018.

(Prakash Chandra Jaiswal, J)

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