

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38023 of 2018

Arising Out of PS. Case No.-551 Year-2018 Thana- SAHARSA District- Saharsa

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Ajay Kumar S/o Umesh Sah R/o Mohalla Ashok Talkies, Gandhi Path, Ward
No. 8, P.S. Saharsa, District Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

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

ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 551 of 2018 registered under
Sections 30(a), 38(1), 41(1) of Bihar Prohibition and Excise Act,
2016.

167.40 lts. of foreign liquor is said to have been
recovered from the house of Bitu Sah and petitioner and three
other accused persons had arrived there to purchase the liquor.
Petitioner was apprehended while the three other accused
persons managed to escape.

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



conscious 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 by the police merely on suspicion while he was passing through the house of Bitu Sah. He has no criminal antecedent. He has been languishing in custody since 11.05.2018.

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, Saharsa in connection with Saharsa Sadar P.S. Case No. 551 of 2018.

(Prakash Chandra Jaiswal, J)

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