

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42891 of 2018

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Manoj Kumar, Son of Ram Prit Roy, resident of village – Jitwarpur Chauth
Tola, P.S.-Muffasil, District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Abhay Kumar - 1

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

2 17-07-2018 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 272 and 273 of the Indian Penal
Code and Sections 30(a) and 38(1) of the Bihar Prohibition and
Excise Act, 2016.

4.140 litres of foreign liquor is said to have been
recovered from the premises of the petitioner and the 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 the case
at the instance of his enemies. The house of the petitioner is



inhabited by several family members and he had no knowledge of keeping of the said liquor in the said house. Though one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 17.05.2018.

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-VI cum Special Judge, Excise, Samastipur in connection with Excise Case No. 148 of 2018.

(Prakash Chandra Jaiswal, J)

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