

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41540 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- AMAUR District- Purnia

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Kalimuddin @ Kalimuddhin, S/o Abdul Latif, R/o Vill-Gerua, P.S. Amour,
Distt-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Smt. Asha Kumari
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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Amour
P.S. Case No. 10 of 2018 registered under Sections 272, 273, 34
of I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act-
2016.

350 lts. of toddy is said to have been recovered
from tempo and its driver, namely, Murshed and one other
person sitting in the said vehicle, namely, Kurban were
apprehended. Said Kurban disclosed the name of the petitioner
as owner of said toddy.

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 tempo in question. He was not apprehended on the spot. He has been falsely implicated in this case by the co-accused, namely, Kurban and barring the aforesaid disclosure, there is nothing in the record indicating complicity of the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 29.05.2018.

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 ^{2nd} Addl. Sessions Judge-cum-Special Judge, Excise, Purnea in connection with Amour P.S. Case No. 10 of 2018.

(Prakash Chandra Jaiswal, J)

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