

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42929 of 2018

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Deepak Giri, Son of Harendra Giri, Resident of village – Bhawaniganj, P.O.
& P.S. – Manjha Garh, District-Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore

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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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

252.720 litres of foreign liquor is said to have been
recovered from the scooty lying on the road near brick kiln near
Bhawaniganj Chawar and the petitioner and three other accused
persons started escaping from the aforesaid place while the
petitioner was apprehended and other accused persons 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 with the scooty in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid liquor laden scooty there seeing the police party. He has no criminal antecedent. He has been languishing in custody since 31.05.2018.

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 2nd Addl. Session Judge cum Special Judge, Excise Act, Gopalganj in connection with Majhagarh P.S. Case No. 143 of 2018.

(Prakash Chandra Jaiswal, J)

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