

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43022 of 2018

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1. Dharmendra Kumar @ Bhuar S/o Dudhnath Paswan @ Doodhnath Paswan, R/o Vill.- Uttar Patti, Tilauthu, P.S.- Tilauthu, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 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.

55 liters of country made liquor is said to have been recovered from the motorcycle of the petitioner and 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 this case at the instance of his enemy by planting the aforesaid recovery from his



possession while the real culprit managed to escape leaving the aforesaid liquor there seeing the police party. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 12.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise, Rohtas at Sasaram in connection with Tilauthu P.S. Case No. 16 of 2018.

(Prakash Chandra Jaiswal, J)

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