

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41785 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -ANDER District- SIWAN

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Ashok Kumar Gupta, Son of Shankar Prasad, Resident of village – Andar,
Police Station-Andar, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 12-07-2018 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, 273 and 308 of the Indian
Penal Code and Sections 30(a) and 41(1) of the Bihar Prohibition
and Excise Act, 2016.

25.380 litres of foreign liquor is said to have been
recovered from the possession of the petitioner and from his
mobile shop and house and the petitioner and one other accused
were 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 by planting aforesaid recovery from his possession. He has no criminal antecedent. He has been languishing in custody since 14.05.2018

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-II cum Special Judge, Excise, Siwan in connection with Andar P.S. Case No. 85 of 2018.

(Prakash Chandra Jaiswal, J)

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