

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45397 of 2018

Arising Out of PS.Case No. -217 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

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Munna Chaudhary S/o Sri Paras Nath Chaudhary, R/o Vill.- Khanda, P.S.-
Sasaram (M), Distt.- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamla Kant Pandey, Adv.

For the Opposite Party : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

2 26-07-2018 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.

34.560 liters of foreign liquor is said to have been
recovered from the Sale Centre 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 either
with the seized liquor or the place of recovery or any trade of



liquor. The place of recovery is an open place and easily accessible to anyone. He has been falsely implicated in this case by the personnel of the Excise Department when he was passing through the place of occurrence at the time of occurrence. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 18.06.2018.

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 District and Sessions Judge-II-cum-Special Judge Excise, Rohtas, Sasaram in connection with Excise Case No. 217 of 2018.

(Prakash Chandra Jaiswal, J)

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