

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43714 of 2018

Arising Out of PS.Case No. -386 Year- 2018 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Mithu Poddar S/o late Raghwendra Poddar Resident of Village-
Mundichak Pani Tanti (Sadar Hospital), P.S. Tilkamanjhi, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 19-07-2018 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.

34.125 litres of foreign liquor is said to have been
recovered from the house of the petitioner on the disclosure of one
co-accused, namely, Sonu Kumar alias Mugolia who is said to
have purchased the same from the petitioner and the 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 article or any trade of liquor. He has been falsely implicated in the case at the instance of his enemy. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said liquor in the house. The seizure list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 13.06.2018.

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 Additional Sessions Judge-IIInd cum Special Judge, Excise Act, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 386 of 2018.

(Prakash Chandra Jaiswal, J)

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