

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46092 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- GAYA RAIL P.S. District- Gaya

Jai Prakash S/o Late Shyam Lal Gupta, R/o Vill.- Manpur Kalali Road, P.S.-
Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy

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

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Gaya Rail
P.S. Case no. 154 of 2018 registered under Section 30(a) of
Bihar Prohibition and Excise Act-2016.

110 lts. of country made liquor is said to have been
recovered from bag kept beneath the seat of the petitioner in the
bogie of the train and petitioner was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized liquor. He was simply travelling by the said train
without any knowledge of keeping of liquor in the bogie



beneath his seat and he has been falsely implicated in this case by the personnel of G.R.P. merely on suspicion. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 8.06.2018.

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 Special Judge, Excise, Gaya in connection with Gaya Rail P.S. Case no. 154 of 2018.

(Prakash Chandra Jaiswal, J)

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