

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46294 of 2018

Arising Out of PS. Case No.-573 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhabhua (Kaimur)

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Upendra Prasad Son of late Dev Chandra Pandit R/o Village Dharupur P.S.
Bikramganj, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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**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 Excise
Case No. 573 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

12.500 lts. of beer is said to have been recovered
from possession of the petitioner sitting in the Magic van 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 has been falsely implicated in this by the



personnel of Excise Department merely on suspicion while he was travelling by the said van without any knowledge of keeping of liquor in it and real culprits managed to escape leaving the aforesaid liquor in the vehicle seeing personnel of Excise Department. He has no criminal antecedent. He has been languishing in custody since 20.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (Excise), Kaimur at Bhabua, in connection with Excise Case No. 573 of 2018.

(Prakash Chandra Jaiswal, J)

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