

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49009 of 2018

Arising Out of PS. Case No.-229 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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Mithilesh Singh @ Mithlesh Kumar Singh Son of late Nand Lal Singh@
Nandu Lal Singh Resident of Village- Masarhi, P.S. Ramgarh, District-
Kaimur(Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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

ORAL ORDER

3 14-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Durgawati
P.S. Case No. 229 of 2018 registered for the offence punishable
under Sections 30(a), 35, 38 of Bihar Prohibition Excise Act,
2016.

360 ml. foreign liquor is said to have been
recovered from possession of the petitioner sitting in the Tavera
vehicle and 2.180 lts. of foreign liquor from the said Tavera
vehicle 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 case at the instance of his enemy. He happens to be simple commuter of the said vehicle and was travelling in it without any knowledge of keeping of liquor in the vehicle. He has no criminal antecedent. He has been languishing in custody since 16.06.2018 and the driver of the said vehicle, namely, Narendra Kumar has been enlarged on bail by this Court vide order dated 19.07.2018 passed in Cr. Misc. no. 43676 of 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 Addl. District & Sessions Judge-VI-cum-Special Judge, Kaimur (Bhabua) in connection with Durgawati P.S. Case No. 229 of 2018.

(Prakash Chandra Jaiswal, J)

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