

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48454 of 2018

Arising Out of PS.Case No. -317 Year- 2018 Thana -SHERGHATI District- GAYA

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Md. Sultan S/o Md. Islam, R/o Vill.- Laxanaiti, P.S.- Sherghati, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 08-08-2018 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(d) of the Bihar Prohibition and Excise Act, 2016.

100 Kg of Mahua flower is said to have been recovered from the motorcycle of 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 with the seized article. He has been falsely implicated in the case by the police merely on suspicion while he was passing through



the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid article there seeing the police party. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 11.06.2018.

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 Special Judge, Excise, Gaya in connection with Sherghati P.S. Case No. 317 of 2018.

(Prakash Chandra Jaiswal, J)

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