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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45844 of 2018

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Keshav Lal Mandal @ Keshab Lal Mandal @ Keshav Mandal, Son of Late Jagdev Mandal, resident of Village- Khurkhuriya, P.S.- Tedhagachh, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Adv.

For the Opposite Party : Mr. Harendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 27-07-2018 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.

27 liters of Nepali liquor is said to have been recovered from the motorcycle and the petitioner and two accused, namely, Ashok Mandal and Keshav Mandal sitting on the said motorcycle were 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 liquor. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place



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of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid liquor there seeing the police party. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent and has been languishing in custody since 08.06.2018.

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 Chief Judicial Magistrate, Araria in connection with Sikty P.S. Case No. 84 of 2018 and Special Case No. 668 of 2018.

(Prakash Chandra Jaiswal, J)

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