

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44329 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- NARDIGANJ District- Nawada

Vikash Kumar S/o Late Vijay Prasad Singh, R/o Vill.- Bastibigha, P.S.- Hisua,
Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Nardiganj
P.S. Case no. 113 of 2018 registered under Section 30(a) of
Bihar Excise and Prohibition Act-2016.

71 lts. of country made liquor is said to have been
recovered from motorcycle of the petitioner and petitioner and
one other accused, namely, Ajay Kumar sitting on the said
motorcycle were 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 by



the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing the police party. There is no compliance of Section 100 Cr.P.C. 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 05.06.2018. Similarly situated co-accused, namely, Ajay Kumar has been enlarged on bail by this Court vide order dated 20.07.2018 passed in Cr. Misc. no. 44048 of 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 A.D.J.-II-cum-Special Judge, Nawada in connection with Nardiganj P.S. Case no. 113 of 2018.

(Prakash Chandra Jaiswal, J)

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