

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47867 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -AGRER District- SASARAM (ROHTAS)

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Jainath Bhagat, S/o. Shri Ram Sahay Bhagat, R/o. village- Bilaspur, P.S.-
Kargahar, district- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr. Satyendra Prasad

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

2 06-08-2018 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 (a) of the Bihar Prohibition and Excise Act, 2016.

172.800 liters of country made liquor is said to have been recovered from the dickey of the Tata Indigo car and its driver, namely, Rakesh Kumar and the petitioner sitting in the said car 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 either with the seized liquor or the car in question. He has been falsely implicated in this. He happens to be a simple commuter and had



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no knowledge of keeping of the said liquor in the dickey of the said car. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 04.07.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Rohtas, Sasaram in connection with Agrer P.S. Case No. 22 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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