

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47838 of 2018

Arising Out of PS.Case No. -309 Year- 2018 Thana -BAKHTIYARPUR District- PATNA

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Deepak Kumar, S/o. Sakindar Ray, Resident of Village- Naya Tola Jethali,
P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

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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.

90 liters of country made liquor is said to have been recovered from two bags and the petitioner and another accused, namely, Dhananjay Kumar 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 any trade of 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 while the real culprit managed to escape dumping the aforesaid bags containing liquor there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 12.06.2018.

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 Special Judge Excise Act, Patna in connection with Special Case No. 5424 of 2018 arising out of Bakhityarpur P.S. Case No. 309 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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