

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46974 of 2018

Arising Out of PS. Case No.-124 Year-2018 Thana- BOCHHA District- Muzaffarpur

Manoj Kumar, S/o Bihari Das, R/o Vill-Kanhara Raghu, P.S. Bochahan, Distt-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Bochahan P.S. Case No. 124 of 2018 registered for the offence punishable under Sections 272, 273 of the I.P.C. and Sections 30(a), 32(ii) and 38(ii) of the Bihar Prohibition and Excise Act, 2016.

1572 lts. of foreign liquor is said to have been recovered from three vehicles and Aadhar card of the petitioner was seized from one of the aforesaid vehicles and petitioner is said to have fled away from the said vehicle.

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 either with the seized liquor or with the vehicle in question. He has been falsely implicated in this merely because finding of his Aadhar card in the vehicle. As a matter of fact, Aadhar card of the petitioner was lost and regarding missing of Aadhar card his brother, namely, Ravi Kumar had given information to the Pear P.S. preceding to the occurrence i.e. on 27.5.2018. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 15.07.2018 and alleged driver of the said vehicle, namely, Ravi Kumar whose driving licence was found in it was enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.07.2018 passed in Cr. Misc. no. 43024 of 2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Muzaffarpur in connection with Bochahan P.S. Case No. 124 of 2018.

(Prakash Chandra Jaiswal, J)

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