

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48096 of 2018

Arising Out of PS.Case No. -185 Year- 2018 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Baidhnath Rai @ Vaidnath Rai son of Late Chulhai Rai, resident of Village-
Atwarpur Sisaula, P.S.- Lalganj, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 32(2) and 41(1) of the
Bihar Prohibition and Excise Act, 2016.

259.95 litres of foreign liquor is said to have been
recovered from the place surrounded by bricks on three sides
located towards the east of the bathan of the petitioner and the
petitioner was 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 place of recovery. Place of
recovery is apart from the house of the petitioner and is open from



one side which is easily accessible to anyone. He had no knowledge of keeping of the said liquor at the aforesaid place by someone. He has been falsely implicated in the case at the instance of his enemies and due to dirty village politics. He has no criminal antecedent. He has been languishing in custody since 07.06.2018.

Considering the facts aforesaid, 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 Addl. Sessions Judge cum Special Judge, Excise, Hajipur, Vaishali in connection with Lalganj P.S. Case No. 185 of 2018.

(Prakash Chandra Jaiswal, J)

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