

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47709 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -MURLIGANJ District- MADHEPURA

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Ramesh Mukhiya, Son of Arjun Mukhiya, Resident of Village- Parwa,
Navtol, Ward No.3, P.S.- Murliganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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

ORAL ORDER

2 03-08-2018 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.

15 litres of country made liquor is said to have been
recovered from the motorcycle of Roshan Kumar and 10 litres of
country made liquor was recovered from the bamboo clump
located near his house and the said Roshan Kumar and the
petitioner 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 with the motorcycle in question or with the place of recovery. He has been falsely implicated in the case by apprehending him from his door at the instance of Roshan Kumar due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 17.06.2018.

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 Addl. District Judge-II, Special Judge, Excise Act, Madhepura in connection with Excise Case No. 203 of 2018 arising out of Murliganj P.S. Case No. 196 of 2018.

(Prakash Chandra Jaiswal, J)

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