

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47520 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- MATIHANI District- Begusarai

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Sunil Kumar S/o Late Jado Singh @ Yadav Singh, R/o Vill.- Sihma, P.S.-
Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Shanker Prasad

For the Opposite Party/s : Smt. Gulnar Begam

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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 connection with
Matihani P.S. Case No. 89 of 2018 registered for the offence
punishable under Section 30(A) of the Bihar Prohibition and
Excise Act, 2016.

642 lts. of foreign liquor is said to have been
recovered from a pick-up van and petitioner and other accused
persons are said to be working as a facilitator of passing of the
said van and petitioner was apprehended.

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 case by the driver of the pick-up van due to animosity in the course of proceeding to his field by the petitioner on his motorcycle. Barring the aforesaid disclosure, there is nothing on record indicating the complicity of the petitioner in the occurrence. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 01.07.2018.

In the facts and circumstances of the case, the above named petitioner is 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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Matihani P.S. Case No. 89 of 2018.

(Prakash Chandra Jaiswal, J)

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