

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47969 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -AMBA District- AURANGABAD

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Vicky Kumar, S/o Satendra Yadav, R/o Village- Naga Bigha, P.O. & P.S.-
Aurangabad (Town), Distt- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Shantanu Kumar, APP.

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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 Sections 30(a) and 38 of the Bihar
Prohibition and Excise Act, 2016.

220 litres of country made liquor is said to have
been recovered from the tempo and three persons sitting in the
said tempo including 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 tempo in question. He
happens to be simple commuter of the said tempo and was



travelling in it without any knowledge of keeping of the liquor in the bag kept in the tempo. He has been falsely implicated in the case merely on suspicion. He has no criminal antecedent. He has been languishing in custody since 29.06.2018.

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 Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 55 of 2018.

(Prakash Chandra Jaiswal, J)

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