

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48566 of 2018**

Arising Out of PS.Case No. -233 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-  
SITAMARHI

=====

1. Dilchand Manjhi S/o Late Dhora Manjhi, R/o Vill.- Dostia, P.S.-  
Sonevarsa, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

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

02    08-08-2018                    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.

22.500 liters of Nepali liquor is said to have been  
recovered from the possession of the petitioner.

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 with the  
seized liquor. He has been falsely implicated in this case by the  
personnel of the Excise Department merely on suspicion while he



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was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape seeing the personnel of Excise Department dumping the aforesaid liquor there. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 26.04.2018.

In the facts and circumstances of the case, 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 Additional District Judge-II-cum-Special Judge Excise Act, Sitamarhi in connection with Complaint Case No. C-2/233 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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