

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49080 of 2018

Arising Out of PS.Case No. -646 Year- 2017 Thana -BARACHATTI District- GAYA

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Krishna Mandal Son of Sri Phulchand Manjhi Residence of Village-
Shivganj Tola, Gosai Pesra, P.S. Barachatti, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Smt. Nirmala Kumari

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

ORAL ORDER

2 10-08-2018 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), 38 and 47 of the Bihar
Prohibition and Excise Act, 2016.

50 litres of country made liquor is said to have been
recovered from the house 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 the case
at the instance of his enemies. The house of the petitioner is
inhabited by several family members and he had no knowledge of



keeping of the said liquor in the house. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 31.05.2018.

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 Court of Special Judge, Excise Act, Gaya in connection with Barachhati P.S. Case No. 646 of 2017 (G.R. No. 2084 of 2017).

(Prakash Chandra Jaiswal, J)

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