

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50750 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -TILAUTHU District- SASARAM (ROHTAS)

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1. Rakesh Kumar S/o Govind Ram @ Ram Govind Ram, R/o Vill.-
Uttarpatti, Tilouthu, P.O.- Tilouthu, P.S.- Tilouthu, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 18-08-2018 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.

100 liters of country made liquor is said to have been recovered from the two bags abandoned by the petitioner and the petitioner was 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 the place of recovery or any bag in question. He has been falsely implicated in this case by the police



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merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the aforesaid bag containing liquor there seeing the police personnel. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 19.07.2018.

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 Sessions Judge-II-cum-Special Judge Excise, Rohtas, Sasaram in connection with Tilouthu P.S. Case No. 40 of 2018.

(Prakash Chandra Jaiswal, J)

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