

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50435 of 2018

Arising Out of PS.Case No. -193 Year- 2018 Thana -KOTWALI District- PATNA

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RASU @ RASSU @ RAHSU @ RASSU VAKHU S/o Chhote Vakhu @
Rukhi Mian, R/o Mohalla- Kamala Nehru Nagar, P.S.- Kotwali, District-
Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Achintya Anand

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 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.

425 litres of country made liquor is said to have
been recovered from behind the slum area said to be kept there by
the petitioner and six other named accused persons who are
engaged in vending the liquor.

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 place of recovery. Place of recovery is open place and is easily accessible to anyone. He was not apprehended on the spot. Identity and genuineness of the source of information has not been mentioned in the written report. Though two more case under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 27.04.2018.

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 Special Judge, Excise, Patna in connection with Kotwali P.S. Case No. 193 of 2018.

(Prakash Chandra Jaiswal, J)

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