

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49078 of 2018

Arising Out of PS.Case No. -494 Year- 2018 Thana -SHEKHPURA District- SEKHPURA

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Botal Choudhary Son of Late Kameshwar Choudhary resident of village
Kare, P.S. and District Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray

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

54 litres of foreign liquor is said to have been
recovered from the house of 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
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. Seizure list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 03.07.2018.

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 1st A.D.J. Sheikhpura in connection with Excise Case No. 170 of 2018 arising out of Sheikhpura P.S. Case No. 494 of 2018.

(Prakash Chandra Jaiswal, J)

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