

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52662 of 2018

Arising Out of PS.Case No. -131 Year- 2018 Thana -SAMSTIPUR RAIL P.S District-
SAMASTIPUR

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Prabhat Kumar, S/o Prabhu Nath Pandey @ Prabhu Narayan Pandit,
resident of village – Khadiyahi, Khatiyahi, P.S.-Bibhutipur, District –
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018

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.

18 litres of foreign liquor is said to have been
recovered from the bag of the petitioner and the petitioner was
apprehended during the course of alighting from the train at
Samastipur Railway Station.

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



by the personnel of GRP over some altercation taken place between them on refusal of the petitioner to cough up the illegal demand of graft made by them. He has no criminal antecedent. He has been languishing in custody since 14.07.2018.

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 Addl. Sessions Judge-VI cum Special Judge, Excise Act, Samastipur in connection with Samastipur Rail P.S. Case No. 131 of 2018, G.R. No. 654 of 2018.

(Prakash Chandra Jaiswal, J)

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