

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51452 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- MATIHANI District- Begusarai

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Bikram Kumar, S/o Arvind Kumar Singh @ Arvind Singh, R/o Vill-Jagatpura,
P.S: Matihani, District-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

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

ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Matihani P.S. Case No. 71 of 2018 registered for the offence
punishable under Section 30 (A) of Bihar Prohibition Excise
Act, 2016.

27 lts. of foreign liquor is said to have been
recovered from bamboo clump located ahead of the house of the
petitioner and he was apprehended from the aforesaid place. He
confessed according the aforesaid liquor to him by Pinkesh
Kumar for vending and on the disclosure of the petitioner, seven
cartoons of foreign liquor is said to have been recovered from
the house of Pinkesh Kumar and another accused.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery or with any trade of liquor. The place of recovery is open place and easily accessible to anyone. He had not made any confessional statement and no incriminating article was recovered on the disclosure of the petitioner. He has been falsely implicated in this case at the instance of his enemy. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 28.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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, Begusarai in connection with Matihani P.S. Case No. 71 of 2018.

(Prakash Chandra Jaiswal, J)

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