

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53762 of 2018

Arising Out of PS.Case No. -34 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
LAKHISARAI

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Sunil Kumar, Son of Gariban Saw, Resident of Village- Chandrapura,
Near- Bajrangwali Mandir, P.S.- Chandrapura, District- Bokaro
(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-08-2018 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 Sections 30 (a), 32(1), 36, 38(1) of the Bihar Prohibition and Excise Act, 2016.

140 liters of country made liquor and 21.780 litres of foreign liquor are said to have been recovered from the platform no.5 of Chandrapura Railway Station unloaded from the train and the petitioner was apprehended while two other persons managed to escape.

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 this case at the instance of his enemy. He has been falsely implicated in this case by the personnel of Excise Department merely on suspicion while he was standing at the platform in the wait of the train and the real culprit managed to escape dumping the aforesaid liquor there seeing them. He has no criminal antecedent and has been languishing in custody since 04.05.2018.

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 2nd Additional District and Sessions Judge-cum-Special Judge (Excise), Lakhisarai in connection with Case No. 34 C2 of 2018.

(Prakash Chandra Jaiswal, J)

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