

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51865 of 2018

Arising Out of PS.Case No. -141 Year- 2018 Thana -KHAGAUL District- PATNA

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Mahesh Bharti, Son of Janardhan Bharti, Resident of Village Chero, P.S.
Sarmera, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 24-08-2018 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.

40.800 liters of foreign liquor is said to have been
recovered from the possession of the petitioner.

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
by the police merely on suspicion while he was passing through
the place of occurrence at the time of occurrence while the real
culprit managed to escape dumping the aforesaid liquor there



seeing the police personnel. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 10.06.2018.

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 Special Judge Excise, Patna in connection with Khagaul P.S. Case No. 141 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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