

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49722 of 2018

Arising Out of PS.Case No. -134 Year- 2018 Thana -KHAGGAUL District- PATNA

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Shiv Kumar Paswan, S/o. Late Kameshwar Pawan, R/o. Neura, P.S. Bihta,
District- Patna.

.... 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. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-08-2018 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) and 37 (b) of the Bihar Prohibition and Excise Act, 2016.

27.900 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 the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and 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 03.06.2018.

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 Act, Patna in connection with Khagaul P.S. Case No. 134 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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