

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53874 of 2018**

Arising Out of PS.Case No. -203 Year- 2018 Thana -PATNA RAIL P.S. District- PATNA

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Vivek Chaudhary @ Vishal Kumar Chaudhary, Son of Late Shankar Bharti, resident of Village- Ekada, Lothabad, Police Station- Lothabad, District- Dhanbad (Jharkhand).

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Manoj Kumar

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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 Section 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

42 liters of country made liquor is said to have been recovered from the bag of the petitioner at platform no.10 at the Patna 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 G.R.P. over some altercation taken place between them on refusal of the petitioner to cough up the demand of graft made by them while the real culprit managed to escape dumping the bag containing liquor there. He has no criminal antecedent and has been languishing in custody since 28.06.2018.

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 Special Judge, Excise Act, Patna in connection with Special Case No. 5878 of 2018 arising out of Patna Junction P.S. Case No. 203 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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