

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53782 of 2018

Arising Out of PS.Case No. -165 Year- 2018 Thana -SIMRI District- BUXAR

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Vicky Kumar, S/o Surendra Yadav @ Surendra Singh, Resident of Village-
Naya Bhojpur, P.S.- Dumraon (Nagar Bhojpur O.P.), District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Smt. Asha Kumari

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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.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

38.6 litres of country made liquor is said to have
been recovered from the motorcycle and the petitioner and one
other accused namely Dhanji Gaur sitting on the said motorcycle
were apprehended. Petitioner is said to be driving the said
motorcycle.

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. As a matter of fact, he was driving the said motorcycle and on the way another accused namely Dhanji Gaur sat on his motorcycle with a bag taking lift from him. He had no knowledge of keeping of the liquor in the said bag by the said accused. He has been falsely implicated in the case. He has no criminal antecedent. He has been languishing in custody since 14.07.2018.

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 Addl. Sessions Judge-II cum Special Judge, Excise, Buxar in connection with Simri (R.D.R. O.P.) P.S. Case No. 165 of 2018.

(Prakash Chandra Jaiswal, J)

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