

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53814 of 2018

Arising Out of PS.Case No. -343 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
SITAMARHI

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Ritesh Singh, Son of Late Ram Avatar Singh @ Late Ramautar Singh,
resident of village – Kansara, Ward No.2, P.S.-Majorganj, District –
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate.
Mr. Rakesh Ambastha, Advocate.
For the Opposite Party/s : Mr. Shantanu Kumar, APP.

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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.

36 litres of Nepali saufi wine is said to have been
recovered from the motorcycle of the petitioner and the petitioner
was apprehended.

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 Excise department 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 them. There is violation of Section 100 Cr.P.C. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 24.06.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise Act, Sitamarhi in connection with Case No. C-2/343/2018.

(Prakash Chandra Jaiswal, J)

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