

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53529 of 2018

Arising Out of PS. Case No.-493 Year-2018 Thana- BARACHATTI District- Gaya

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Kundan Kumar, S/o Manikchand Prasad, R/o Mohalla-Badi Pahari, P.S.
Laheri, Distt-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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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 connection with Barachatti P.S. Case no. 493 of 2018 registered for the offence punishable under Sections 420, 467, 468, 471/34 of I.P.C. and Sections 30(a), 38, 42, 47 of the Bihar Prohibition and Excise Act, 2016.

Three accused persons were apprehended with 180 lts. of country made liquor and petitioner and two other accused persons are said to have arrived at the place of occurrence to bribe the police personnel to let them free.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. No



incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor or with the apprehended accused. Not a single penny has been recovered from possession of the petitioner. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 24.07.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Gaya in connection with Barachatti P.S. Case no. 493 of 2018.

(Prakash Chandra Jaiswal, J)

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