

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51712 of 2018

Arising Out of PS. Case No.-224 Year-2018 Thana- MAIRWAN District- Siwan

Rupesh Kumar Kushwaha, S/o Shyamdeo Bhagat, R/o Vill-Sajna, P.S.
Mairwa District-Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Mairwa
P.S. Case no. 224 of 2018 registered for the offence punishable
under Sections 272, 273 of I.P.C. and Sections 30, 38, 41 of the
Bihar Prohibition and Excise Act, 2016.

35.200 lts. of country made liquor is said to have been
recovered from motorcycle of the petitioner and he was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with
the seized liquor. He has been falsely implicated in this case by



the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 19.06.2018.

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 Addl. Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case no. 224 of 2018.

(Prakash Chandra Jaiswal, J)

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