

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28499 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Dilip Kumar @ Dilip Bhagat S/o Umesh Bhagat Resident of Village- Chak
Mohabbat, P.S. Ahiyapur, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Umanath Mishra

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

ORAL ORDER

3 27-06-2018 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 Sections 30(a), 38 and 53 of the Bihar
Prohibition and Excise Act, 2016.

1180.520 litres of foreign liquor is said to have been
recovered from the truck and the driver and khalasi of the said
truck were apprehended. The apprehended accused disclosed the
name of the petitioner as the owner of the said liquor.

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



either with the seized liquor or with the vehicle in question. He has been falsely implicated in the case by the apprehended accused persons due to animosity. He was not apprehended on the spot. He has been languishing in custody since 28.02.2018. Apprehended accused namely Sunil Kumar and Sanjay Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 28.05.2018 passed in Cr. Misc. No. 25016 of 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, Muzaffarpur in connection with R.R. No. 58/17-18 Excise Case No. 8 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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