

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47370 of 2018

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1. Kailash Sah Son of late Kapildeo Prasad Sah Resident of Village-
Motibag Ward No. 07, Police Station- Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Lalan Kumar

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

ORAL ORDER

03 23-08-2018 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 Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

22.800 liters of country made liquor 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 this case at the
instance of his enemy by planting the aforesaid recovery from his



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possession. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 20.06.2018.

In the facts and circumstances of the case, 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, Kishanganj in connection with Special Case No. 172 of 2018.

(Prakash Chandra Jaiswal, J)

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