

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36351 of 2018

Arising Out of PS.Case No. -256 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Nirmal Kumar @ Nirmal Kumar Singh, Son of Ranjan Singh, Resident
of village- Rajaura, P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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

ORAL ORDER

03 31-07-2018 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.

295.875 liters of foreign liquor is said to have been
recovered from the hut located near the bamboo clamp of the
petitioner and 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 either
with the seized liquor or the place of recovery. The hut is open and



without doors and is easily accessible to anyone. He was not apprehended from the aforesaid place rather from somewhere else. There is violation of Section 100 Cr.P.C. Though one more criminal case has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 16.05.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Court, Begusarai in connection with Muffasil P.S. Case No.256 of 2018.

(Prakash Chandra Jaiswal, J)

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