

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7447 of 2018

Arising Out of PS.Case No. -311 Year- 2017 Thana -BAKHRI District- BEGUSARAI

1. Bimlesh Kumar @ Bimlesh Mahto S/o Raghunandan Mahto, R/o Vill.-
Karaitad, P.S.- Bakhari, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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

02 13-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Bakhari P.S. Case No. 311 of 2017 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

16.200 liters of foreign liquor is said to have been recovered from the e-rickshaw and its driver, namely, Chhotu Raj alias Chhotu Sah was apprehended who disclosed the seized liquor to be of the petitioner.

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 been falsely implicated in this case by the said Chhotu Raj alias Chhotu



Sah out of grudge. He was not apprehended with the seized liquor. Though four criminal cases have been lodged against the petitioner but he is on bail in all the aforesaid cases and moreover the aforesaid cases are not under Excise Act. The said Chotu Raj alias Chhotu Sah alias Chhotu Raj Sah has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.7577 of 2018 vide order dated 08.02.2018. Petitioner has been languishing in custody since 26.12.2017.

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 7th, Begusarai in connection with Bakhari P.S. Case No. 311 of 2017.

(Prakash Chandra Jaiswal, J)

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