

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1763 of 2018

Arising Out of PS.Case No. -297 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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1. Bajrangi Mandal, Son of Jay Ram Mandal, Resident of Village-
Ajmabad, Police Station- Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 24-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Naugachia P.S. Case No.
297 of 2017 registered under Section 30 (a) & 38 (i) of the Bihar
Prohibition and Excise Act, 2016.

13.875 liters of foreign liquor kept in two bags is
said to have been recovered from the tempo 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. As a matter of
fact, the petitioner happens to be the driver of the tempo and some
person while travelling in the said tempo along with the bags,



- 2 -

seeing the police party left the bags in the tempo and escaped. The petitioner had no knowledge about keeping the liquor in the said bags. He has been falsely implicated in this case. He has no criminal antecedent. The petitioner has been languishing in custody since 26.11.2017.

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 Special Judge Excise, Bhagalpur in connection with Naugachia P.S. Case No. 297 of 2017.

(Prakash Chandra Jaiswal, J)

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