

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16206 of 2018

Arising Out of PS.Case No. -1882 Year- 2017 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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Rakesh Gupta, Son of Sri Mukhdeo Sah @ Mukdev Sah, resident of
Village- Kumhau, P.S.- Shivsagar, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP.

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

2 21-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Excise Case No. 1882 of
2017 registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

19.500 litres of country made liquor is said to have
been recovered from the possession of the petitioner and the co-
accused Mayank Tiwari and they were 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 the case



at the instance of his enemies by planting aforesaid recovery from his possession. He has no criminal antecedent. He has been languishing in custody since 18.12.2017. Similarly situated co-accused, namely, Mayank Tiwari has been enlarged on bail by a co-ordinate bench of this court vide order dated 08.03.2018 passed in Cr. Misc. No. 13522 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 cum Additional Sessions Judge-IV, Kaimur at Bhabhua in connection with Excise Case No. 1882 of 2017.

(Prakash Chandra Jaiswal, J)

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