IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27068 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- GAURICHAK District- Patna

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Praveen Choudhary S/o Surendra Choudhary, R/o Chamardih, P.S.- Gaurichak, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manoranjan Kumar
For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Gaurichak P.S. Case no. 58 of 2018 registered under Section 30(a) of Bihar Prohibition & Excise Act-2016.

550 lts. of toddy is said to have been recovered from tempo and three persons sitting on the said tempo were apprehended on suspicion.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized toddy or with the tempo in question. The petitioner neither happens to be driver nor owner of the tempo.

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As a matter of fact, he was passing through the place of occurrence at the time of occurrence and has been falsely implicated in the case by the police merely on suspicion. The FIR itself indicates that the petitioner has been implicated in the case on suspicion. He has no criminal antecedent. He has been languishing in custody since 06.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Gaurichak P.S. Case no. 58 of 2018.

(Prakash Chandra Jaiswal, J)

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