

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19483 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- KHIJARSARAI District- Gaya

Mahendra Kewat, Son of Late Tarkeshwar Kewat, resident of village- Jolha Bigha, Police Station- Khizer Sarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Khizersarai P.S. Case no. 53 of 2018 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) (D) of Bihar Prohibition & Excise Act-2016.

40 lts. of country made liquor is said to have been recovered from the *Phalgu* river and petitioner was apprehended.

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 liquor or with the place of recovery. He has



been falsely implicated in the case by the police merely on suspicion while he was crossing the river on foot at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 23.02.2018.

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, Gaya in connection with Khizersarai P.S. Case no. 53 of 2018.

(Prakash Chandra Jaiswal, J)

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