

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24354 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- ROSERA District- Samastipur

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Kundan Kumar, S/o Pramod Prasad, Resident of Village- Khanpur, Dih, P.S.-
Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Madhuranand Jha

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

ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Rosera
P.S. Case no. 74 of 2018 registered under Sections 30(a), 38(1)
and 47 of Bihar Prohibition & Excise Act-2016.

43.2 lts. of country made liquor is said to have been
recovered from the motorcycle of Deepak Kumar Yadav and he
was apprehended. Said Deepak Kumar Yadav disclosed the
name of the petitioner to be associated in the liquor trade who
had arrived at the place of occurrence following him and on
disclosure of petitioner, police recovered huge quantity of liquor
from the pick-up van and tempo as well.

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 vehicle in question. He has been falsely implicated in the case by Deepak Kumar Yadav due to animosity. He has not made any disclosure regarding keeping of liquor in the pick-up van and tempo by other accused persons. He has no criminal antecedent. He has been languishing in custody since 08.03.2018.

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 Addl. Sessions Judge-III-cum-Special Judge, Excise, Samastipur in connection with Rosera P.S. Case no. 74 of 2018.

(Prakash Chandra Jaiswal, J)

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