

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35568 of 2018

Arising Out of PS.Case No. -104 Year- 2018 Thana -BYPASS District- PATNA

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1. Aniket Kumar son of Rameshwar Prasad Srivastava @ Rameshwar Prasad resident of village - Rajaso, P.S. Bidupur, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

160 liters of country made liquor is said to have been recovered from the tempo and co-accused Bablu Kumar sitting in the said tempo was apprehended who disclosed the name of the petitioner as driver and owner of the said tempo.

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 either with the seized liquor or the tempo in question. He was not



apprehended on the spot. He has been falsely implicated in this case by the co-accused Bablu Kumar due to animosity. He has no criminal antecedent and has been languishing in custody since 10.04.2018.

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, Patna in Special Case No. 3473 of 2018 arising out of Bypass P.S. Case No. 104 of 2018.

(Prakash Chandra Jaiswal, J)

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