

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38608 of 2018**

Arising Out of PS.Case No. -366 Year- 2017 Thana -FATUHA District- PATNA

=====

1. Manish Kumar S/o Lal Babu Rai @ Lal Babu Yadav, R/o Vill.- Kripal Tola, Maujipur, P.S.- Fatuha, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Kishore Kumar Thakur

For the Opposite Party/s : Mr. Ram Sevak Choudhary

=====

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

02    03-07-2018                    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.

98 liters of country made liquor is said to have been recovered from the possession of one Pintu Chaurasiya and the said Pintu Chaurasiya named the petitioner as one of his accomplice in the occurrence.

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 was not apprehended on spot. He has been falsely



- 2 -

implicated in this case by the Pintu Chaurasiya due to animosity. There is nothing on the record indicating the complicity of the petitioner in the occurrence. Though two more criminal cases have been lodged against the petitioner but he is on bail in the said cases. The said Pintu Chaurasiya has been granted bail by a coordinate bench of this Court in Cr. Misc. No.52686 of 2017 vide order dated 09.11.2017. The petitioner 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 connection with Fatuha P.S. Case No. 366 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

