

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36238 of 2018**

Arising Out of PS.Case No. -94 Year- 2018 Thana -GOH District- AURANGABAD

=====

Manish Kumar, S/o Mukhdeo Yadav, Resident of Village- Jajapur Tola-  
Tilan Bigha, P.S.- Goh, District- Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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

**ORAL ORDER**

3      20-07-2018                      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 Sections 30(a), 38(i) & 41(i) of the Bihar  
Prohibition and Excise Act, 2016.

254 lts. of foreign liquor is said to have been  
recovered from the house of father of the petitioner, namely,  
Mukhdeo Yadav and petitioner was apprehended in the course of  
escaping from the said house.

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 with the  
seized liquor. He has been falsely implicated in this case by the



police at the instance of his enemies. The house of his father, namely, Mukhdeo Yadav is inhabited by his several family members and petitioner had no knowledge of keeping of aforesaid liquor in the said house. The seizure list does not bear the signature of the petitioner. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 04.05.2018. Father of the petitioner, namely, Mukhdeo Yadav has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 06.07.2018 passed in Cr. Misc. no. 36612 of 2018.

Considering the facts aforesaid, 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 Additional Sessions Judge VII cum Special Judge, Excise Act, Aurangabad, in connection with Goh P.S. Case No. 94 of 2018.

**(Prakash Chandra Jaiswal, J)**

Rohit/-

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