

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43330 of 2018

=====

1. Raj Kumar S/o Dinesh Kumar, R/o Vill.- Turha Toli, Sohanipatti @ Mohani Patti, P.S.- Buxar Town in the District of Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Navin Sharma, Adv.

For the Opposite Party/s : Mr. Satyadv Prasad Singh Yadav, APP-131

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 18-07-2018 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 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

196.36 liters of foreign liquor is said to have been recovered from the Maruti Suzuki car and five accused persons including the petitioner were apprehended from the said car.

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 vehicle in question. He has been



falsely implicated in this case at the instance of his enemy. He happens to be a simple commuter and was travelling by the car and had no knowledge of keeping of the said liquor in the car. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 06.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise, Buxar in connection with Excise Case No.106 (O) of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

