

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42556 of 2018**

Arising Out of PS.Case No. -110 Year- 2018 Thana -SITAMARHI GRP CASE District-  
SITAMARHI

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Ram Vinay Gupta, Son of Choa Sah, R/o Village – Bhakurahar, P.S.-  
Bairgania, District-Sitamarhi.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Ram Bachan Singh

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

2      16-07-2018

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.

18 litres of Nepali saufi wine is said to have been  
recovered from the possession of the petitioner at Platform No.1 of  
Bairgania Railway Station.

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 has been falsely implicated in the case  
at the instance of his enemies by planting aforesaid recovery from



his possession. Though aforesaid liquor was seized on 03.06.2018, but the copy of the seizure list was furnished on the following day i.e. on 04.06.2018. There is violation of Section 100 Cr. P.C. He has no criminal antecedent. He has been languishing in custody since 05.06.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Rail P.S. Darbhanga Case No. 110 of 2018.

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**(Prakash Chandra Jaiswal, J)**

Mishra/-

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