

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43420 of 2018

Arising Out of PS.C.ase No. -116 Year- 2018 Thana -SIDHWALIA District- GOPALGANJ

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1. Rajendra Rai son of Late Raghunath Rai, Resident of Village- Bucheya,
Police Station- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA

JAISWAL

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sidhwalia P.S. Case No.
116/2018, registered under Section 30(a) of the Bihar Excise and
Prohibition Act, 2016.

33 liters of foreign liquor is said to have been
recovered from a hut located in front of the house of Shailesh Rai
and the petitioner was apprehended from the aforesaid place.

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 with the hut in question. He has



been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. There is violation of Section 100 of the Cr.P.C. The petitioner has no criminal antecedent and has been languishing in custody since 14.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge (Excise Act), Gopalganj, in connection with Sidhwalia P.S. Case No. 116/2018.

(Prakash Chandra Jaiswal, J.)

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