

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43959 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Sandeep Prasad @ Sandeep Kumar Gupta S/o Jawahar Prasad @ Jawahar Gupta, resident of Village- Jaso Road Golamber, P.S.- Buxar (Muffasil), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP 243

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Buxar (Industrial) P.S. Case No. 97 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

30.600 liters of country made liquor is said to have been recovered from the motorcycle of the petitioner and the petitioner was apprehended and another accused managed to escape.

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 had no knowledge of carrying the liquor in the bag on his motorcycle



by pillion rider of the motorcycle, who managed to escape after seeing the police party. He has been falsely implicated in the case merely on suspicion. He has no criminal antecedent. He has been languishing in custody since 08.06.2018.

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 in connection with Buxar (Industrial) P.S. Case No. 97 of 2018 to the satisfaction of the Additional District Judge II-cum-Special Judge, Excise Act, Buxar.

(Prakash Chandra Jaiswal, J)

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