

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44110 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -PASRAHA District- KHAGARIA

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1. Kapo Sada, Son of Gonar Sada, Resident of Village Bhimari
Mushahari, P.S. Pasraha, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Asharaf Ansari

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

2 23-07-2018 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.

25.500 liters of foreign liquor is said to have been
recovered from the joint possession of the petitioner and
co-accused, namely, Sukkan Sharma.

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 this case by the
police merely on suspicion while he was passing through the place



of occurrence at the time of occurrence while the real culprit managed to escape seeing the police party. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 20.05.2018.

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-cum-Special Judge Excise Act, Khagaria in connection with Pasraha P.S. Case No. 64 of 2018 (corresponding to G.R. No. 1326 of 2018).

(Prakash Chandra Jaiswal, J)

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