

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43961 of 2018

Arising Out of PS. Case No.-352 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Chandan Kumar @ Avinash Kumar son of Late Dashrath Singh, resident of
Village- Khamhar, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP 92

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**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
Begusarai Muffasil P.S. Case No. 352 of 2018 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

17.280 liters of country made liquor is said to have
been recovered from the house of the petitioner and the
petitioner was apprehended.

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. The house of the



petitioner is inhabited by several family members and he had no knowledge of keeping of the aforesaid liquor in the said house. There is violation of Section 100 of the Criminal Procedure Code. Though one more case under Excise Act has been lodged against the petitioner, but, he is on bail in the aforesaid case. He has no criminal antecedent. He has been languishing in custody since 22.06.2018.

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 Begusarai Muffasil P.S. Case No. 352 of 2018 to the satisfaction of the Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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