

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44119 of 2018

Arising Out of PS.Case No. -335 Year- 2018 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Amit Kumar, S/o Prabhu Ram, Resident of Village- Kamal Pipra, Kaithwalia, P.S.- Paharpur, District- East Champaran at present Chitragupt Sadan, Ward No. 27, P.S.- Town (Motihari), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 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) & 41 (1) of the Bihar Prohibition and Excise Act, 2016.

38.45 liters of foreign liquor is said to have been recovered from the house of one Manish Kumar @ Dhiraj Kumar and said accused and petitioner were apprehended from the roof of the said house and the petitioner is said to be delivery man of the liquor.

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 the place of recovery or any trade of liquor. He has been falsely implicated in this case by the police merely on suspicion while he had gone to meet his friend Manish Kumar @ Dhirja. He has no criminal antecedent and has been languishing in custody since 06.06.2018.

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 7th-cum-Special Judge Excise Act, East Champaran at Motihari in connection with Nagar Motihari P.S. Case No.335 of 2018.

(Prakash Chandra Jaiswal, J)

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