

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46533 of 2018

Arising Out of PS.Case No. -140 Year- 2018 Thana -KURSAKANTA District- ARRARIA

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Md. Wasique @ Md. Wasik, Son of Md. Islam, Resident of village –
Shyampur Pechaili, Ward No.06, P.S.-Palasi, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 31-07-2018 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.

36.600 litres of Nepali liquor is said to have been
recovered from the bag kept on the motorcycle and the petitioner
and one other accused namely Md. Shaukat were 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
by the police merely on suspicion while he was passing through
the place of occurrence at the time of occurrence and real culprit



managed to escape dumping the aforesaid liquor there seeing the police party. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 25.06.2018. Said Md. Shaukat @ Shaukat has been enlarged on bail by a co-ordinate bench of this court vide order dated 25.07.2018 passed in Cr. Misc. No. 44911 of 2018.

Considering the facts aforesaid, 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 2nd Addl. Sessoids Judge cum Special Judge, Araria in connection with Kursakanta (Kuwari) P.S. Case No. 140 of 2018, Special Case No. 737 of 2018.

(Prakash Chandra Jaiswal, J)

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