

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45540 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -KATRA District- MUZAFFARPUR

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Rajiv Kumar Thakur Son of Mahadeo Thakur R/o Village Lakhanpur, P.S.
Katra, Distt. Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Adv.

For the Opposite Party : Mr. Lakshmi Kant Sharma, APP.

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

ORAL ORDER

2 26-07-2018 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 Sections 272 & 273 of the Indian Penal Code and Section 30 (A) 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

56.640 liters of foreign liquor is said to have been recovered from the house of Praveen Thakur and the petitioner, who was sleeping in the said house, 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 either with the seized liquor or the place of recovery. He is residing at



Delhi and had arrived at village in connection with the marriage and was sleeping in the house of his nephew Praveen Thakur without having knowledge of keeping the said liquor in the house. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent and has been languishing in custody since 29.06.2018.

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 Special Judge Excise Act, Muzaffarpur in connection with Katra P.S. Case No. 136 of 2018.

(Prakash Chandra Jaiswal, J)

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