

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46148 of 2018

Arising Out of PS. Case No.-402 Year-2018 Thana- BARACHATTI District- Gaya

Deepak Kumar S/o Mahendra Prasad, R/o Vill.- Kosama, P.S.- Barkatha,
District- Hazaribag State Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena
For the Opposite Party/s : Mr. Shyameshwar Dayal

**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 connection with Barachati
(Mohanpur) P.S. Case no. 402 of 2018 registered under Section
30(a) of Bihar Prohibition and Excise Act-2016.

96 lts. of country made liquor is said to have been
recovered from Maruti Indigo car and petitioner and two other
persons sitting in the said car were apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the vehicle in question. He
happens to be simple commuter of the said car and was



travelling in it without any knowledge of keeping of liquor in it. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 17.06.2018.

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, Gaya in connection with Barachati (Mohanpur) P.S. Case no. 402 of 2018.

(Prakash Chandra Jaiswal, J)

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