

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47127 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -MEERGANJ District- PURNIA

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1. DIWAKAR JHA Son of Om Prakash Jha Resident of Village- Sinwara,
P.S. Uda Kishunganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 02-08-2018 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) of the Bihar Prohibition (Amendment) and Excise Act, 2016.

51.765 liters of foreign liquor is said to have been recovered from the Maruti Alto Car and the petitioner sitting in the said car was apprehended. He is said to be trader 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 with the vehicle in question or any trade



of liquor. He happens to be a simple commuter of the said car and was travelling in it without any knowledge of keeping of the liquor in the car in question. He has been falsely implicated in this case by the police merely on suspicion while the driver of the said car managed to escape leaving the aforesaid liquor laden car there seeing the police party. He has no criminal antecedent and has been languishing in custody since 04.07.2018.

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, Purnea in connection with Mirganj P.S. Case No. 77 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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