

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47093 of 2018**

Arising Out of PS.Case No. -36 Year- 2018 Thana -VISHNUPAD District- GAYA

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1. Dipu Yadav, Son of Bagad Yadav, Resident of Mohalla- Khatkachak  
Nailly, P.S.- Vishnupad, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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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 Section 30 (a) of the Bihar Prohibition and  
Excise Act, 2016.

162 liters of foreign liquor is said to have been recovered  
from the house of Mahendra Manjhi which is said to have been  
kept there by the petitioner and one Nitesh Kumar.

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 at the instance



of his enemy. The identity and genuineness of the source of information is not mentioned in the written report of the informant. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 05.06.2018.

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, Gaya in connection with Vishnupad P.S. Case No. 36 of 2018.

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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