

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47562 of 2018

Arising Out of PS. Case No.-436 Year-2018 Thana- BARACHATTI District- Gaya

Manoj Kumar, Son of Late Krishna Saw, resident of village- Hisua, Police Station- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Barachatti (Mohanpur) P.S. Case No. 436 of 2018 registered for the offence punishable under Section 120(B) of I.P.C. and Sections 30(a) 38, and 47 of the Bihar Prohibition and Excise Act, 2016.

116.9 lts. of foreign liquor is said to have been recovered from Indigo car and petitioner was apprehended from some other car passing ahead of the aforesaid liquor laden car as the facilitator of the said car.

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 was not made any disclosure. He has been falsely implicated in this case by the police merely on suspicion while he was unfortunately proceeding ahead of liquor laden car at the time of occurrence. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 02.07.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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 Barachatti (Mohanpur) P.S. Case No. 436 of 2018.

(Prakash Chandra Jaiswal, J)

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