

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47999 of 2018

Arising Out of PS.Case No. -185 Year- 2018 Thana -BYPASS District- PATNA

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1. Sarvan Rai @ Srawan Ray S/o Late Mohan Ray, R/o Vill.- Saidabad,
P.S.- Raghopur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 07-08-2018 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 420/34 of the Indian Penal
Code and Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

117 liters of foreign liquor is said to have been
recovered from the ditch behind the house of the petitioner and
petitioner 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.



Place of recovery is an open place and is easily accessible to anyone. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 22.06.2018.

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, Patna in connection with Special Case No.- 5704 of 2018 (arising out of Bypass P.S. Case No. 185 of 2018).

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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