

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48583 of 2018

Arising Out of PS.Case No. -292 Year- 2018 Thana -PUPRI District- SITAMARHI

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1. Rahul Kumar S/o Nawal Chaudhary @ Nawal Kishor Chaudhary, R/o
Vill.- Dumharpatti, P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 08-08-2018 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, 279, 337, 338 and 414 of the Indian Penal Code and Section 30 (a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

14.400 liters of Nepali liquor is said to have been recovered from the motorcycle and the petitioner was apprehended while another accused sitting on the said motorcycle managed to escape.

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 with the



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seized liquor. He has been falsely implicated in this case by the police merely on suspicion while the real culprit managed to escape leaving the liquor containing bag on the motorcycle seeing the police personnel. Though one case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 11.06.2018.

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 Additional District Judge-II-cum-Special Judge Excise Act, Sitamarhi in connection with Pupri P.S. Case No. 292 of 2018.

(Prakash Chandra Jaiswal, J)

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