

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50256 of 2018

Arising Out of PS.Case No. -474 Year- 2018 Thana -BIHTA District- PATNA

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Mohit Kumar aged about 19 Years, S/o Sri Vijay Rai, R/o Vill.- Dumariya,
P.S.- Bihta, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunit Kumar Srivastava, Adv.

For the Opposite Party : Mr. Atul Chandra, APP.

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

ORAL ORDER

2 14-08-2018 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.

50 liters of country made liquor is said to have been recovered from the Dumaria orchard and petitioner was apprehended from the aforesaid place while other 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 either with the seized liquor or the place of recovery or any trade of liquor. The place of recovery is an open place and easily



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accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent and has been languishing in custody since 07.05.2018.

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, Special Court Excise, Patna in connection with Bihta P.S. Case No. 474 of 2018 (Special Case No. 4313 of 2018).

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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