

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50132 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -MURLIGANJ District- MADHEPURA

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Raushan Kumar son of Vijay Yadav resident of Bhirkhi, Ward No. 23,
Madhepura, P.S. & District Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary

For the Opposite Party/s : Mr. Shantanu Kumar (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.

25 liters of country made liquor is said to have been
recovered from the motorcycle parked in bamboo clump and also
from the aforesaid bamboo clump located near the house of
Ramesh Mukhiya and the petitioner and accused Ramesh Mukhiya
were 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 or the motorcycle in question. 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 08.06.2018. Aforesaid accused, namely, Ramesh Mukhiya has been enlarged on bail by this court vide Cr. Misc. No. 47709 of 2018 order dated 03.08.2018.

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 and Sessions Judge- IInd -cum-Special Judge Excise Act, Madhepura in connection with Excise Case No. 203 of 2018 arising out of Murliganj P.S. Case No. 196 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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