

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51446 of 2018

Arising Out of PS. Case No.-309 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Rakesh Das, S/o Laldeo Das, R/o Vill-Pataura Mathiya, P.S.-Muffasil
(Motihari), District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the State : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case no. 309 of 2018 registered for the offence punishable
under Section 30 (a) of Bihar Prohibition Excise Act, 2016.

153 lts. of Nepali wine is said to have been
recovered from the tempo parked on the door of the petitioner
and accused, namely, Ankit Sahani managed to escape from the
said place leaving the motorcycle there.

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 tempo in question or with any



trade of liquor. He has been falsely implicated in this case by the personnel of Excise Department merely because the aforesaid tempo was parked at his door while the real culprits managed to escape seeing the personnel of Excise Department. He has no criminal antecedent. He has been languishing in custody since 07.07.2018.

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 Additional Sessions Judge-VII-cum-Special Judge, Excise, East Champaran, Motihari in connection with Excise Case no. 309 of 2018.

(Prakash Chandra Jaiswal, J)

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