

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50678 of 2018

Arising Out of PS.Case No. -233 Year- 2018 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Niraj Srivastava S/o Om Prakash Srivastava R/o Village- Chanpatiya, P.S.-
Chanpatiya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 18-08-2018 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.

131.200 litres of foreign liquor is said to have been
recovered from the Scorpio and driver of the said vehicle, namely,
Salim Mian and petitioner were apprehended in the course of
escaping from the said vehicle and Deepak kesari 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 with the vehicle 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 to catch the train. The real culprit managed to escape leaving liquor laden vehicle there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 05.06.2018.

Considering the facts aforesaid, 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, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 233 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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