

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50749 of 2018

Arising Out of PS.Case No. -177 Year- 2018 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Niraj Kumar S/o Binay Mandal @ Vinesh Mandal, R/o Vill.- Pipra Khurd,
P.S. & District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Bharat Bhushan

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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.

387.40 litres of country made liquor is said to have
been recovered from the Innova Car and four persons sitting in the
said car including petitioner 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 with the car in question. He has



been falsely implicated in the case at the instance of his enemy. He happens to be a simple commuter and had no knowledge of keeping the said liquor in the car. He has no criminal antecedent. He has been languishing in custody since 23.03.2018. Similarly situated co-accused, namely, Chhotu Kumar @ Chhote Kumar has been enlarged on bail by this court vide order dated 03.05.2018 passed in Cr. Misc. No. 27200 of 2018 and Manish Kumar has been enlarged on bail by this court vide order dated 03.05.2018 passed in Cr. Misc. No. 26346 of 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 2nd Additional District & Sessions Judge cum Special Judge, Excise, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 177 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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