

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51125 of 2018**

Arising Out of PS.Case No. -166 Year- 2018 Thana -SAHAR District- BHOJPUR

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Pankaj Kumar S/o Madan Singh, R/o Vill.- Ekawari, P.S.- Sahar, District- Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr.

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

2      20-08-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in a case registered for the  
offence punishable under Sections 30(a) and 38 of the Bihar  
Prohibition and Excise Act, 2016.

206 litres of foreign liquor is said to have been  
recovered from the house of Guddu Singh on the basis of the  
disclosure made by the petitioner.

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 place of recovery. He has not made  
any disclosure. No liquor has been recovered on the basis of his



disclosure. He has been falsely implicated in the case at the instance of his enemies. There is violation of Section 100 Cr.P.C. Though two more criminal cases have been lodged against the petitioner, but he has been acquitted in one of the said cases while final form has been submitted in another case. He has been languishing in custody since 11.07.2018.

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, Excise, Bhojpur at Ara in connection with Excise Case No. 1105 of 2018 arising out of Sahar P.S. Case No. 166 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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