

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54216 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

=====

1. Subodh Bhagat S/o Ramsagar Bhagat @ Ramsagar Bhagat, R/o Vill.-
Baruraj Tole Dakahi, P.S.- Baruraj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza

For the Opposite Party/s : Mr. Tarun Prasad Mandal

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 31-08-2018 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 Sections 30 (a), and 38 of the Bihar
Prohibition and Excise Act, 2016.

3071.52 liters of foreign liquor is said to have been
recovered from the container and the petitioner is said to be
trafficker of the liquor.

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 vehicle in question or any trade of



- 2 -

liquor. He was not apprehended on the spot. The name of the petitioner has emerged in the case on the basis of secret information. The identity and genuineness of source of information has not been mentioned in the written report. There is violation of Section 100 Cr.P.C. He has been languishing in custody since 18.07.2018. Similarly situated co-accused Pawan Kumar Singh @ Pawan Kr. Singh has been enlarged on anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.17574 of 2018 vide order dated 29.03.2018.

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 Special Judge Excise, Muzaffarpur in connection with Excise P.S. Case No. 05 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

