

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51756 of 2018

Arising Out of PS. Case No.-379 Year-2018 Thana- BAKHTIYARPUR District- Patna

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Ram Prasad Rai @ Ram Prasad Ray S/o Ram Baran Rai, R/o Vill.- Teja
Bigha, P.S.- Bhakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Binod Kumar 2

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

ORAL ORDER

2 23-08-2018 As prayed, learned counsel for the petitioner is permitted to make necessary correction regarding offence of Section in the first paragraph of the bail petition during course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case no. 379 of 2018 registered for the offence punishable under Section 30(a), 37(c) of the Bihar Prohibition and Excise Act, 2016.

30 lts. of country made liquor is said to have been recovered from the house and field of the petitioner and he was apprehended.



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 with the seized liquor. He has been falsely implicated in this case at the instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in the house. The field of the petitioner is open place. He has no criminal antecedent. He has been languishing in custody since 23.07.2018.

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 Special Judge, Excise Act, Patna in connection with Bakhtiyarpur P.S. Case no. 379 of 2018.

(Prakash Chandra Jaiswal, J)

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