

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54207 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Subhash Singh S/o Tapeswar Singh, R/o Mohalla- Pokhara Shahpur,
Ward No. 26, P.S.- Town Aurangabad, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

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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(ka), 38(i) of the Bihar
Prohibition and Excise Act, 2016.

504 liters of foreign liquor is said to have been recovered
from the car and two mobiles of the petitioner was also seized
from the said car.

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 car in question. He was not



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apprehended on the spot. Though he happens to be owner of the said mobile phones but he had sold it out to one Rajesh Kumar Gupta on 04.01.2018 and thereafter he has no concern with the aforesaid mobile. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 13.08.2018.

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 Additional Sessions Judge-VII-cum-Special Judge Excise, Aurangabad in connection with Aurangabad Town P.S. Case No. 06 of 2018.

(Prakash Chandra Jaiswal, J)

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