

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53804 of 2018

Arising Out of PS.Case No. -221 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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Avinash Kumar, S/o Suresh Paswan, Resident of village – Singarhat, P.S.-
Sohsaray, District – Nalanda at Biharsharif.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 30-08-2018 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.

32.760 litres of foreign liquor is said to have been
recovered from beneath the seat of the petitioner in the bus and the
petitioner was 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
with the seized liquor. He had no knowledge of keeping of the bag
containing liquor under his seat at the time of travelling by the



said bus. He has been falsely implicated in the case by the personnel of Excise department merely on suspicion. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 10.06.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Nawada in connection with G.O. Case No. 221/2018.

(Prakash Chandra Jaiswal, J)

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