

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53731 of 2018

Arising Out of PS.Case No. -166 Year- 2018 Thana -KURSAKANTA District- ARRARIA

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Modassir @ Modassir Rahim, S/o Rahim @ Abdul Rahim @ Abdur Rahim,
R/o Village- Bairgachhi, Ward No.-12, P.S.- Bairgachhi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Kalyan Shankar

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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.

29.400 liters of Nepali liquor is said to have been recovered from the motorcycle and the petitioner sitting on the said motorcycle 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 either with the seized liquor or the motorcycle in question. He has been falsely implicated in this case by the police merely on suspicion



while he was passing through the place of occurrence for marketing and the real culprits managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 28.07.2018.

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 2nd -cum-Special Judge, Araria in connection with Special Case No. 879 of 2018 arising out of Kusakanta (Kuwari) P.S. Case No. 166 of 2018.

(Prakash Chandra Jaiswal, J)

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