

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26854 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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Pramod Kumar, son of Mahesh Poddar, resident of Village- Gopalpur, P.S.
Cheriabariarpur, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 27-06-2018 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.

696 litres of foreign liquor is said to have been
recovered from the stolen pickup van displaying registration
number of the vehicle of the petitioner, which was earlier financed
by the bank to the petitioner, but later on met an accident and
seized by the bank due to non-payment of the installment.

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 with the vehicle in question. He has never provided registration number of his vehicle to anyone. He was not apprehended on the spot. Confessional statement of the petitioner recorded by the police has no evidentiary value in the eye of law. Petitioner has no criminal antecedent. He has been languishing in custody since 11.04.2018.

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 Additional Sessions Judge-II cum Special Court, Excise, Begusarai in connection with Cheriya Bariyarpur P.S. Case No. 52 of 2018.

(Prakash Chandra Jaiswal, J)

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