

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48094 of 2018

Arising Out of PS.Case No. -482 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SUPAUL

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1. Sunil Kumar Yadav son of Debu Yadav @ Dabu Yadav, resident of
Village- Tintolia, Ward No. 10, P.S. Pratapganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 21-08-2018 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.

1890 liters of Nepali liquor is said to have been recovered
from the Bolero pickup van parked at the door of the petitioner
and petitioner is said to be owner-cum-driver of the said pickup
van.

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



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with the seized liquor or the vehicle in question. He does not happen to be either owner or driver of the said vehicle. He has been falsely implicated in this case at the instance of his enemy. Though petitioner has been alleged to be owner-cum-driver of the pickup van in the seizure list but the said fact is not mentioned in the prosecution report. He has no criminal antecedent and has been languishing in custody since 22.06.2018.

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-II-cum-Special Judge Excise Act, Supaul in connection with Misc. Excise Case No.482 of 2018, arising out of P.R. No.27/2018.

(Prakash Chandra Jaiswal, J)

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