

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19478 of 2018

Arising Out of PS. Case No.-155 Year-2017 Thana- TELHARA District- Nalanda

Rajnish Kumar S/o Rajesh Pandey, R/o Village- Mandaksh, P.S.- Telhara,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Telhara
P.S. Case no. 155 of 2017 registered under Sections 30(a),
30(d), 37(a) of Bihar Prohibition & Excise Act-2016.

107 lts. of foreign liquor is said to have been
recovered from the toilet of Sant Kabir High School, Mandaksh
and one accused namely, Vijay Kumar was apprehended while
other accused managed to escape. The apprehended accused
disclosed the name of the petitioner as his fleeing accomplice.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or with the place of recovery. He has been falsely implicated in the case by said Vijay Kumar due to animosity. He has no criminal antecedent. He has been languishing in custody since 09.02.2018. Co-accused Vijay Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 1.02.2018 passed in Cr. Misc. no. 5921 of 2018

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Addl. Session Judge-cum-Special Judge, Excise, Nalanda at Bihar Sharif in connection with Telhara P.S. Case no. 155 of 2017 .

(Prakash Chandra Jaiswal, J)

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