

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43989 of 2018

Arising Out of PS. Case No.-265 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Samarjeet Kumar @ Kallu, S/o Maheshwari Prasad Yadav, resident of
Mohalla- Chhoti Khanjharpur, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP 100

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

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with
Kotwali (Barari) P.S. Case No. 265 of 2018 registered under
Section 30(a) of the Excise Act, 2016.

17.610 liters of foreign liquor is said to have been
recovered from the house of the petitioner 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 has been falsely implicated
in the case at the instance of his enemies. The house of the



petitioner is inhabited by several family members and he had no knowledge of keeping of the aforesaid liquor in the house. There is violation of Section 100 of the Criminal Procedure Code. He has no criminal antecedent. He has been languishing in custody since 27.04.2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kotwali (Barari) P.S. Case No. 265 of 2018 to the satisfaction of the Additional District & Sessions Judge II-cum-Excise, Bhagalpur.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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