

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35358 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -GAYA MUFFSIL District- GAYA

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Manish Bharti Son of Sri Uday Singh Resident of Village Hathsa, Police Station Hisua, District Nawada Presently residing Mohalla Lakhbag, Police Station- Muffasil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Rs. 10,000/- is said to have been seized from the car and petitioner and three other accused persons sitting in the said car were apprehended in the course of escaping and on their disclosure, 180 litres of country made liquor was recovered from the house of Ravi Kumar allegedly sold by the apprehended accused persons.

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 happens to be simple commuter of the said car. He has not given any statement and no liquor has been seized on the basis of his statement. There is nothing cogent in the record indicating the complicity of the petitioner in the occurrence. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 07.04.2018.

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 Special Judge, Excise, Gaya in connection with Muffasil P.S. Case No. 112 of 2018.

(Prakash Chandra Jaiswal, J)

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