

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34549 of 2018

Arising Out of PS.Case No. -165 Year- 2018 Thana -AGAMKUAN District- PATNA

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Dilip Kumar, Son of Late Rajeshwar Mahto, Resident of Village-Dighichak Fajullah, P.S.- Sadar Dist.- Vaishali at present chhoti Pahari, Jakariyapur, renter in the house of Dannu Jee, P.S.- Agamkuan, Dist.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 21-06-2018 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.

35 litres of country made liquor and cash of Rs. 2500/- are said to have been recovered from the possession of the petitioner in course of vending the liquor at the place of recovery.

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 any trade of liquor. He has been



falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape dumping the aforesaid liquor there seeing the police party. He has no criminal antecedent. He has been languishing in custody since 11.03.2018.

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, Patna in connection with Special Case No. 2172 of 2018.

(Prakash Chandra Jaiswal, J)

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