

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40507 of 2018

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1. Nunulal Kumar Chaurashiya @ Nunulal Chaurasia son of Late Jagdish Chaurasia, resident of Village- Madhepura Gosala Chowk Ward No. 4, Police Station & District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

03 17-07-2018 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.

72 liters of foreign liquor is said to have been recovered from the Tata Tiago car and petitioner and one another accused, namely, Deepak Kumar sitting in the said car were apprehend while another co-accused, namely, Rahul Kumar managed to escape.

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 the car in question. The petitioner happens to be a simple commuter and was travelling without knowing keeping of the liquor in the car while the real culprit managed to escape seeing the personnel of Excise Department. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 15.04.2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No. 458 of 2018, arising out of Farbesganj Sadar Anchal Case No. 9 of 2018.

(Prakash Chandra Jaiswal, J)

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