

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42349 of 2018

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Bholu Kumar, Son of Suresh Ram, Resident of village – Khemnichak, P.S.-
Ramkrishna Nagar, District-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. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-07-2018 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.

26.125 litres of foreign liquor is said to have been
recovered from the bag kept beneath the seat of the petitioner in
the bus.

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
by the personnel of Excise department merely on suspicion while
he was travelling by bus without any knowledge of keeping of the



aforesaid liquor beneath his seat. He has no criminal antecedent.
He has been languishing in custody since 31.05.2018.

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 Addl. Sessions Judge-II cum Special Judge, Excise, Purniya in connection with Case No. C1-260/2018 arising out of Prosecution Report Case No. 10 of 2018.

(Prakash Chandra Jaiswal, J)

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