

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43302 of 2018

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Rajendra Tudu, Son of Sri Sheetal Tudu, resident of village – Baliya
Santhali / Santhali Tola, P.S.-Basnahi, District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

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

2 18-07-2018 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.

36 litres of country made liquor is said to have been
recovered from the possession of the petitioner.

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 police merely on suspicion while he was passing through
the place of occurrence at the time of occurrence and real culprit
managed to escape seeing the police party dumping the bag



containing liquor there. He has no criminal antecedent. He has been languishing in custody since 22.05.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No. 295 of 2018 arising out of Basnahi P.S. Case No. 46 of 2018.

(Prakash Chandra Jaiswal, J)

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