

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42888 of 2018

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Kongress Sharma @ Akhilesh Sharma, Son of Late Sahdev Sharma,
Resident of village – Gadhmohni, P.S.-Gogari, District-Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 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 Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

7 litres of country made liquor is said to have been
recovered from the house of the petitioner and the petitioner was
apprehended.

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. The house of the petitioner is inhabited by
several family members and he had no knowledge of keeping of
the said liquor in the house. Seizure list does not bear the



signature of the petitioner. 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 20.06.2018.

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-I cum Special Judge, Excise, Khagaria in connection with Gogari P.S. Case No. 201 of 2018.

(Prakash Chandra Jaiswal, J)

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