

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44941 of 2018

Arising Out of PS.Case No. -193 Year- 2018 Thana -MANER District- PATNA

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1. Lav Kumar S/o Sri Vashist Ray, R/o Vill.- Suwarmarwa (East), P.S.-
Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Singh

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-07-2018 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 37(b) of the Bihar
Prohibition and Excise Act, 2016.

25 litres of country made liquor is said to have been
recovered from the bush located on the bank of the Sone river,
said to have been kept by 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
either with the seized liquor or with the place of recovery. Place of



recovery is open place and is easily accessible to anyone. 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. He has no criminal antecedent. He has been languishing in custody since 02.05.2018.

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 Special Judge, Excise, Patna in connection with Special Case No. 4145 of 2018 arising out of Maner P.S. Case No. 193 of 2018.

(Prakash Chandra Jaiswal, J)

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