

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46292 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- SAKATPUR District- Darbhanga

Radheshyam Madhesiya Son of Kanhiya Lal Madhesiya Resident of Ward
No. 21, Budh Nagri, P.S. Kushi Nagar, District- Kushi Nagar, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan
For the Opposite Party/s : Mr. Harendra Prasad

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

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Sakatpur P.S. Case No. 23 of 2018 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

106.125 lts. of foreign liquor is said to have been
recovered from dickey of Indigo Manza and from pick-up van
and six persons including the petitioner were found standing in
the vicinity of the said car were apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or with the vehicles in question. He has been falsely implicated in this 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 01.05.2018. Similarly situated co-accused, namely, Anant Kumar Mishra @ Anand Mishra has been enlarged on bail by this Court vide order dated 22.06.2018 passed in Cr. Misc. no. 34760 of 2018 while Sachin has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 28.06.2018 passed in Cr. Misc. no. 36106 of 2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV-cum-Special Judge, Darbhanga, in connection with Sakatpur No. 23 of 2018.

(Prakash Chandra Jaiswal, J)

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