

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47068 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -GAURICHAK District- PATNA

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1. Bablu Kumar @ Bablu Paswan, S/o Bharat Paswan, resident of village-
Kushawan Veer, P.S.- Dhanarua, District- Patna, State- Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA

JAISWAL

ORAL ORDER

2 02-08-2018 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 Section 30 (A) of the Bihar Prohibition and
Excise Act, 2016.

35 liters of country made liquor is said to have been
recovered from the motorcycle of the petitioner and one another
accused sitting on the said motorcycle. They managed to escape.
Petitioner happens to be owner of the said motorcycle.

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 this case by the police at the instance of his enemy by recording confessional statement of the apprehended accused which has no evidentiary value in the eye of law. Barring the confessional statement of the apprehended accused, there is nothing on record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 24.05.2018.

In the facts and circumstances of the case, 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 Civil Court, Patna in connection with Gaurichak P.S. Case No. 88 of 2018 (Special case No. 3667 of 2018).

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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