

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49819 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- SUGAULI District- East Champaran

Kindeo Prasad, Son of Late Jaglal Sah, Resident of Village- Dhankharaiya,
Police Station- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kuar

For the Opposite Party/s : Mr. Surendra Kumar

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

ORAL ORDER

2 14-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Sagauli
P.S. Case No. 66 of 2018 registered for the offence punishable
under Section 30 (a) of Bihar Prohibition Excise Act, 2016.

532 lts. of foreign liquor is said to have been
recovered from beneath the bridge and accused Mukesh Kumar
Singh standing near the aforesaid liquor in watch was
apprehended, who disclosed the name of the four accused
persons including the petitioner as owner of the said liquor.

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 with the



seized liquor or with the place of recovery. He has been falsely implicated in this case by the apprehended accused Mukesh Kumar Singh. Barring the aforesaid disclosure, there is nothing on record indicating complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though, three more cases under Excise Act have been lodged against the petitioner, but he is on bail in two out of aforesaid cases. He has been languishing in custody since 23.06.2018.

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, Excise, East Champaran, Motihari in connection with Sagauli P.S. Case No. 66 of 2018.

(Prakash Chandra Jaiswal, J)

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