

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49690 of 2018

Arising Out of PS.Case No. -199 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SAMASTIPUR

=====

Shyam Kumar Das S/o Natho Das, R/o Vill.- Bhamrupur, P.S.- Muffasil,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Smt. Meena Singh

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

2 13-08-2018 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 Sections 30 (a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

9.600 liters of foreign liquor is said to have been recovered from the possession of the petitioner and 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. He has been falsely implicated in this case by the



personnel of Excise Department merely on suspicion when he was standing on the road side at the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid liquor there seeing them. He has no criminal antecedent and has been languishing in custody since 04.07.2018.

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 6th Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur in connection with Excise Case No. 199 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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