

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47918 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -TEDHAGACHH District- KISANGANJ

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Suresh Bosak, Son of Late Ram Lal Bosak, Resident of Village- Bhorha,
P.S.- Terhagachh, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Shyameshwar Dayal

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

ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

9 litres of Nepali liquor is said to have been
recovered from the possession of Lal Mohammed and said
accused disclosed that he had to deliver the aforesaid liquor to the
petitioner Suresh Bosak.

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 any trade of liquor. He has



been falsely implicated in the case by the apprehended accused due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 15.06.2018.

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 Addl. District and Sessions Judge-II cum Special Judge, Excise, Kishanganj in connection with Special Case No. 111 of 2018 arising out of Terhagachh P.S. Case No. 33 of 2018.

(Prakash Chandra Jaiswal, J)

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