

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48801 of 2018

Arising Out of PS.Case No. -190 Year- 2018 Thana -KHAJEKALLAN District- PATNA

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1. Dinesh Rai, Son of Ratan Rai @ Ramratan Rai a resident of Chhoti Bazar, P.S. - Khajekalan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 09-08-2018 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.

50.240 liters of foreign liquor is said to have been recovered from the house 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 at the instance of his enemy. The house of the petitioner is inhabited by



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his several family members and he had no knowledge of keeping of the said liquor in the house. The seizure list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 24.06.2018.

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 Excise, Patna in connection with Special Case No.5741 of 2018, arising out of Khajekalan P.S. Case No.190 of 2018.

(Prakash Chandra Jaiswal, J)

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