

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51787 of 2018

Arising Out of PS.Case No. -321 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Rajesh Kumar, Son of Narayan Singh @ Ram Narayan Singh, resident of
village – Khamhar, P.S.-Muffasil, District – Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Umanath Mishra

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

ORAL ORDER

2 23-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

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

112.32 litres of foreign liquor is said to have been
recovered from the dera of the petitioner meant for keeping
buffalo at the indication of the petitioner by apprehending him
from his house.

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 any trade of liquor. He has not



made disclosure and no incriminating article has been recovered on the basis of his disclosure. He has been falsely implicated in the case by the police by apprehending him from his house. Aforesaid dera from where aforesaid liquor is said to have been recovered is open place and petitioner had no knowledge of keeping of the liquor there. There is violation of Section 100 Cr.P.C. He has been languishing in custody since 10.06.2018.

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. Sessions Judge-II cum Special Judge, Begusarai in connection with Muffasil P.S. Case No. 321 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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