

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51668 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- KHAJEKALLAN District- Patna

Nasib Ray, S/o Kaltu Ray @ Mantu Ray, R/o Sirdhi ghat, P.S. Khajekalan,
Distt-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ram Priya Saran Singh

**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.

The petitioner seeks bail in connection with
Khajekalan P.S. Case no. 116 of 2018 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

80 lts. of country made liquor is said to have been
recovered from the open land of Sravan Kumar which is said to
be kept there by the petitioner, who managed to escape seeing
the police personnel.

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 either



with the seized liquor or with the place of recovery. The place of recovery is open place. He was not apprehended on the spot. The identity and genuineness of the source of information has not been mentioned in the written report. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 17.06.2018.

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 Special Judge, Excise Act, Patna in connection with Khajekalan P.S. Case no. 116 of 2018.

(Prakash Chandra Jaiswal, J)

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