

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1735 of 2018

Arising Out of PS.Case No. -339 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Vijay Kumar @ Vijay S/o Banvari Lal, R/o Village- Sadar Charkhi
(Dadari), P.S.- Sasar (Dadri), District- Charkhi (Dadri), Harayana.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Dr. Kumar Uday Pratap

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

02 24-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Brahmpur P.S. Case
No.339 of 2017 registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

2074 liters of foreign liquor is said to have been
recovered from a container vehicle and the co-accused sitting in
the Scorpio, which was also seized with the aforesaid container
vehicle, divulged that the said liquor was purchased by him at
Chandigarh and was transported by hiring the container with the
help of locals, namely, Rambabu Yadav and Ramesh Yadav.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



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conscious physical possession of the petitioner. He has been falsely implicated in this case. He had no knowledge of keeping and transporting the aforesaid liquor by the said accused Preetam in his vehicle. The helper, namely, Rambabu Yadav and Ramesh Yadav have been granted bail by coordinate Bench of this Court in Cr. Misc. No.55212 of 2017 vide order dated 20.11.2017. He has no criminal antecedent. The petitioner has been languishing in custody since 17.09.2017.

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 Additional District Judge-II-cum-Special Judge Excise Act, Buxar in connection with Brahmpur P.S. Case No. 339 of 2017.

(Prakash Chandra Jaiswal, J)

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