

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1744 of 2018

Arising Out of PS.Case No. -102 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Raj Kumar @ Raj Kumar Yadav, S/o Kulendra Yadav, Resident of
Village- Laxminiya Tola Kanp, P.S. Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Parmanand Kumar

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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 Sour Bazar P.S. Case
No.102 of 2017 registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

61.928 liters of foreign liquor is said to have been
recovered from a Sumo Gold vehicle and three persons sitting on
the said vehicle managed to escape and later on petitioner was
apprehended on the basis of the mobile and SIM recovered from
the said vehicle.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. Petitioner has no



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concern with the seized liquor. As a matter of fact, the mobile phone containing the aforesaid SIM was lost by the petitioner in the market preceding to the occurrence and someone might have found the mobile and SIM & while travelling in the said vehicle left the same in the vehicle. Though one case under Excise Act has been lodged earlier but he has been enlarged on bail in the aforesaid case. The petitioner has been languishing in custody since 18.11.2017.

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 Sessions Judge-III-cum-Special Judge Excise Act, Saharsa in connection with Sour Bazar P.S. Case No. 102 of 2017.

(Prakash Chandra Jaiswal, J)

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