

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35129 of 2018

Arising Out of PS. Case No.-376 Year-2018 Thana- KANKARBAGH District- Patna

Vikash Kumar, Son of Late Manoj Prasad, R/o Gulzarbagh, Tulsimndi, P.S.-
Alamganj, District- Patna, at present Tenant of Ripu Kumar, Ashok Nagar,
Road No. 7, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary
For the Opposite Party/s : Mr. Pranav Kumar

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

ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kankarbagh P.S. Case No. 376 of 2018 registered under
Sections 272, 273 of the I.P.C. and Sections 30(a) of Bihar
Prohibition and Excise Act-2016.

493.545 lts. of foreign liquor is said to have been
recovered from rented room of the petitioner and he was
apprehended.

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. He does not



happen to be tenant of the said room. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. I.O. has not reported finding of any articles of the petitioner in the room, indicating him to be tenant of the said room. The owner of the house has also not been examined by the I.O. in substantiation of the aforesaid case of the prosecution. He has no criminal antecedent. He has been languishing in custody since 04.05.2018.

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 Act, Patna in connection with Kankarbagh P.S. Case No. 376 of 2018.

(Prakash Chandra Jaiswal, J)

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