

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37366 of 2018**

Arising Out of PS. Case No.- Year- Thana- GOVERNMENT OFFICIAL COMP. District-  
Patna

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Rakesh Choudhary, Son of Lal Babu Choudhary, resident of Village- Hajipur  
Jarua, Nawada, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Priyank Deepak  
For the Opposite Party/s : Mr. Madan Kumar

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**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 Special  
Case no. 4412 of 2018 arising out of P.R. no. 28 of 2018  
registered under Section 30(a) of Bihar Prohibition and Excise  
Act-2016.

30 lts. of mix toddy is said to have been recovered  
from possession of the petitioner.

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 with  
the seized toddy. As a matter of fact, 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 and real culprits managed to escape dumping the aforesaid toddy there. He has no criminal antecedent. He has been languishing in custody since 10.05.2018.

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, Patna in connection with Special Case no. 4412 of 2018 arising out of P.R. no. 28 of 2018.

**(Prakash Chandra Jaiswal, J)**

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