IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43395 of 2018

Arising Out of PS.C.ase No. -400 Year- 2018 Thana -PHULWARI District- PATNA

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1. Jawahar Prasad @ Jawahar Singh Son of Madan Singh, Resident of Village- Kajichak, P.S.- Bhagwanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Phulwari Sharif (Janipur) P.S. Case No. 400/2018, registered under Sections 30(A)(B)(C), 38(i) and 41(i) of the Bihar Liquor Prohibition and Excise Act, 2016.

12.250 liters of foreign liquor is said to have been recovered from a motorcycle and petitioner and one Dharmendra Kumar were apprehended sitting on the same.

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

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with the aforesaid liquor. He has been falsely implicated in this case at the instance of enemy by planting the aforesaid recovery from his possession. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Phulwari Sharif (Janipur) P.S. Case No. 400/2018.

(Prakash Chandra Jaiswal, J.)

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