

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44833 of 2018

Arising Out of PS. Case No.-191 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

Rakesh Patel S/o Late Surendra Patel, R/o Vill.- Chamahi, P.S.- Sikarganj,
District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Darshan Lal Father's name not Known, A.S.I. B-Coy, Kundwa Chaninpur, 20
Bn S.S.B. Sitamarhi, Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii
For the Opposite Party/s : Mr. Akshay Lal Pandit

=====

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

ORAL ORDER

2 24-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case no. 191 of 2018 registered under Section 30(a) of Bihar
Excise and Prohibition Act-2016.

18 lts. of Nepali Saufi wine is said to have been
recovered from bicycle 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 bicycle in question. He has



been falsely implicated in this case by the personnel of Excise Department while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape leaving aforesaid liquor laden bicycle seeing them. There is no compliance of 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 26.04.2018.

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 Addl. Sessions Judge-VII-cum-Special Judge, Excise, East Champaran, Motihari in connection with Excise Case no. 191 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

