

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44262 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- SALKHUA District- Saharsa

Pradeep Modi @ Pradip Modi S/o Late Vishwanath Modi, resident of Village-
Teliyahat, P.S. Salkhua (Banma Itahari O.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Salkhua
(Banma Itahari O.P.), P.S. Case no. 118 of 2018 registered under
Section 30(a) Bihar Excise and Prohibition Act-2016.

5.250 lts. of foreign liquor is said to have been
recovered from fertilizer godown of the petitioner and his son,
namely, Krishna Mohan Modi was apprehended while petitioner
and another accused managed to escape.

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 liquor. He has been falsely implicated in this case by



his son Krishna Mohan Modi, who was apprehended at the place of occurrence. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 08.06.2018.

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, Saharsa in connection with Salkhua (Banma Itahari O.P.), P.S. Case no. 118 of 2018.

(Prakash Chandra Jaiswal, J)

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