

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38215 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -BHAGALPUR RAIL P.S. District-
BHAGALPUR

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Rakesh Kumar, Son of Kailash Mandal, Resident of Village- Kalyanpur
Bangali Tola Ward No.9, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

17 litres of country made liquor is said to have been
recovered from the bag of the petitioner travelling in the train and
the petitioner was apprehended.

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
with the seized liquor. He has been falsely implicated in the case



by the personnel of GRP merely on suspicion while real culprit managed to escape dumping the aforesaid bag containing liquor at the place of occurrence seeing the personnel of GRP. He has no criminal antecedent. He has been languishing in custody since 29.01.2018.

Considering the facts aforesaid, 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, Bhagalpur in connection with Bhagalpur (G.R.P.) P.S. Case No. 18 of 2018.

(Prakash Chandra Jaiswal, J)

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