

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45460 of 2018

Arising Out of PS.Case No. -605 Year- 2018 Thana -BIHTA District- PATNA

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Mantu Kumar, S/o Sri Naresh Chauhan @ Naresh Singh, R/o Raghapur,
P.S.- Bihta, District- Patna. Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyendra Prasad, Adv.
For the Opposite Party : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 26-07-2018 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 Excise Control Act, 2016.

18 liters of foreign liquor is said to have been recovered from the motorcycle of the petitioner and one another accused, namely, Vikash Kumar @ Bikash Kumar Singh sitting on the said motorcycle were 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 this case at the instance of his enemy by planting the aforesaid recovery from his



possession. Similarly situated co-accused, namely, Vikash Kumar @ Bikash Kumar Singh has been enlarged on bail by this Court in Cr. Misc. No. 44550 of 2018 vide order dated 24.07.2018. He has no criminal antecedent and 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 Court Excise, Patna in connection with Bihta P.S. Case No. 605 of 2018 arising out of Special Case No. 5257 of 2018.

(Prakash Chandra Jaiswal, J)

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