

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48842 of 2018

Arising Out of PS.Case No. -192 Year- 2018 Thana -GAYA RAIL P.S. District- GAYA

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1. Rahul Kumar @ Vicky, Son of Srikant Mistry, Residence of Mohalla-Kaziyana (Talab Par), Rana Pratap Nagar, Islampur, P.S.- Islampur, Distt-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mrs. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA

JAISWAL

ORAL ORDER

02 09-08-2018 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 Sections 30 (a) and 30 (d) of the Bihar Prohibition and Excise Act, 2016.

54 liters of foreign liquor is said to have been recovered from the bag kept beneath the seat of the petitioner in a railway coach 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 had no knowledge of keeping of the liquor in the



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bag beneath his seat. He has been falsely implicated in this case by the personnel of the GRP due to some altercation between them on his failure to cough up the illegal demand of grant made by them. He has no criminal antecedent and has been languishing in custody since 07.07.2018.

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, Gaya in connection with Gaya Rail P.S. Case No. 192 of 2018 (G.R. No.304/2018).

(Prakash Chandra Jaiswal, J)

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