

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50318 of 2018

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Mohan Chaudhary @ Mohan Choudhary, son of Shiv Chandra Chaudhary,
Resident of Village- Dariyapur, P.S. Pipra, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Garg, Adv.

For the Opposite Party : Mr. Vinod Shankar Modi, APP

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

ORAL ORDER

3 20-08-2018 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

40 liters of mixed toddy is said to have been recovered from the motorcycle of the petitioner and 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 mixed toddy. He has been falsely implicated in this case by the personnel of the Excise Department merely on suspicion while he was passing through the place of occurrence at the time of



occurrence and the real culprit managed to escape dumping the aforesaid mixed toddy there seeing the personnel of Excise Department. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 17.06.2018.

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, Patna in connection with P.R.P.S. Case No. 37 of 2018/ P.R. No. 37 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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