

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48907 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- GOVINDPUR District- Nawada

Binod Kumar S/o Sahdey Yadav @ Sahdey Yadav, R/o Vill.- Kamalpur, P.S.-
Govindpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Iftekhar Mahmood

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

ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Govindpur P.S. Case No. 118 of 2018 registered for the offence
punishable under Sections 30 (a) of the Excise Act, 2016.

60 lts. of country made liquor is said to have been
recovered from motorcycle and petitioner was apprehended in
the course of escaping dumping the aforesaid liquor laden
motorcycle.

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 either
with the seized liquor or with the motorcycle in question. He



has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police party. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 13.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum Special Judge, Nawada in connection with Govindpur P.S. Case No. 118 of 2018.

(Prakash Chandra Jaiswal, J)

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