

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51766 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- GURARU District- Gaya

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Rajeev Kumar @ Rajiv Kumar S/o Bhuneshwar Singh, R/o Vill.- Bhojpur,
P.S.- Hunterganj, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Smt Pushpa Sinha

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

ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Guraru
P.S. Case no. 138 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

308 lts. of country made liquor is said to have been
recovered from Maruti Wagon-R car and its driver, namely,
Tapeshar Yadav was apprehended. Petitioner who is said to
have been facilitating the transportation of the aforesaid liquor
on the motorcycle, was also apprehended.

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 vehicle in question. He has been falsely implicated in this case by the police merely on suspicion while he was unfortunately passing through the place of occurrence at the time of occurrence on the motorcycle. He has no criminal antecedent. He has been languishing in custody since 13.07.2018. Similarly, situated co-accused, namely, Pintoo Yadav and Pravesh Yadav have been enlarged on bail by this Court vide order dated 20.08.2018 passed in Cr. Misc. no. 50978 of 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 Special Judge, Excise Act, Gaya in connection with Guraru P.S. Case no. 138 of 2018.

(Prakash Chandra Jaiswal, J)

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