

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51518 of 2018

Arising Out of PS.Case No. -235 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

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Rakesh Kumar, S/o. Rajendra Prasad Das @ Rajendra Sah @ Rajendra Das,
R/o. Village- Mohalla- Indra Chok Nawada, P.S.- Nawada Town, District-
Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Smt. Asha Devi

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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 a case registered for the
offence punishable under Sections 30(a) and 56(Gha) of the Bihar
Prohibition and Excise Act, 2016.

45 litres of foreign liquor is said to have been
recovered from the secret box made in the dicky of the Wagon-R
and petitioner who is said to be its driver 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
either with the seized liquor or with the vehicle in question. He
happens to be simple commuter of the said vehicle and was



travelling without knowledge of keeping of the said liquor in its dickey by its driver who managed to escape leaving the aforesaid liquor laden vehicle there seeing the personnel of Excise Department. He has been falsely implicated in the case. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 11.07.2018.

Considering the facts aforesaid, 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, Gaya in connection with Excise Case No. 235 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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