

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52828 of 2018

Arising Out of PS. Case No.-174 Year-2018 Thana- MOKAMAH District- Patna

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Mohan Kumar Son of Shyamsunder Chaudhary resident of Village -
Panchmahla (Ward No. 26), P.S. - Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh
For the Opposite Party/s : Mr. Ataur Rahman

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

ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Mokama
P.S. Case no. 174 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

50 lts. of toddy is said to have been recovered from
possession of the petitioner.

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 with
the seized toddy. 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 there seeing the police personnel. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 08.07.2018.

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, Patna in connection with Mokama P.S. Case no. 174 of 2018.

(Prakash Chandra Jaiswal, J)

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