

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54233 of 2018

Arising Out of PS.Case No. -350 Year- 2018 Thana -MANER District- PATNA

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1. Akhilesh Kumar S/o Harihar Rai, R/o Sherpur, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 31-08-2018 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.

100 liters of country made liquor is said to have been recovered from the bush located towards north of Sahara brick kiln which is said to have been kept there by the petitioner.

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 the place of recovery or any trade of liquor. The place of recovery is an open place and easily



- 2 -

accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he was proceeding to take bath at the bank of the river which is located in the vicinity of the aforesaid place. He has no criminal antecedent and has been languishing in custody since 11.07.2018.

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 Act, Patna in connection with Special Case No. 6350 of 2018 arising out of Maner P.S. Case No. 350 of 2018.

(Prakash Chandra Jaiswal, J)

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