

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19752 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -ROSEIRA District- SAMASTIPUR

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1. Sharvan Kumar S/o Asheshar Mahto, R/o Village- Haripur, P.S.- Rosera,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

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

ORAL ORDER

02 27-04-2018 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 38, 47, 30(a) and 30 (d) of the
Bihar Prohibition and Excise Act, 2016.

135 liters of foreign liquor is said to have been
recovered from the Tata Tiago car of the petitioner and the
petitioner 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. Though in the
seizure list 135 liters of foreign liquor is said to have been
recovered from the car of the petitioner but the F.I.R. does not



indicate any quantity of the liquor said to be recovered from his car. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his car. He has no concern with the seized liquor. He has no criminal antecedent and has been languishing in custody since 19.02.2018.

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 3rd Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur in connection with Rosera P.S. Case No.55 of 2018.

(Prakash Chandra Jaiswal, J)

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