

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44267 of 2018

Arising Out of PS. Case No.-157 Year-2018 Thana- KISHANGANJ District- Kishanganj

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Vinay Lal Harijan Son of Ami Lal Harijan, resident of Village- Birniyan,
Police Station- Bahadurganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Kishanganj P.S. Case no. 157 of 2018 registered under Section
30(a) of Bihar Excise and Prohibition Act-2016.

173.40 lts. of foreign liquor is said to have been
recovered from Scorpio vehicle and its driver managed to
escape leaving aforesaid liquor laden vehicle.

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 at the instance



of his enemy alleging him to be driver of the vehicle in question. He was not apprehended on the spot. There is no complaine of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 17.05.2018.

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 Addl. District & Sessions Judge-II-cum-Special Judge (Excise), Kishanganj in connection with Kishanganj P.S. Case no. 157 of 2018.

(Prakash Chandra Jaiswal, J)

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