

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45341 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -KATORIA District- BANKA

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Amar Kumar, Son of Manoj Kumar Roy, resident of village – Ranuchak
(Makanpur), P.S.-Nath Nagar, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 26-07-2018 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)(g) and 32(2) of the Bihar
Prohibition and Excise Act, 2016.

119.25 litres of foreign liquor is said to have been
recovered from Hundai Car and the petitioner was apprehended in
the course of escaping alighting from the said car while another
accused managed to escape.

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 has
been falsely implicated in the case by the police merely on



suspicion while he had gone to attend call of nature at the place of occurrence and real culprit managed to escape leaving the liquor laden vehicle there seeing the police party. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 18.05.2018.

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 Addl. Sessions Judge-II, Banka in connection with Katoria P.S. Case No. 80 of 2018.

(Prakash Chandra Jaiswal, J)

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