

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48338 of 2018

Arising Out of PS. Case No.-231 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Manoj Kumar, S/o Late Sudeshwar Singh @ Sudheswar Ram, resident of
Village- Dighi Balapar, P.S. Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa
For the Opposite Party/s : Smt. Meena Singh

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

ORAL ORDER

3 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
(Sherghati) P.S. Case no. 231 of 2018 registered for the offence
punishable under Section 30(a) and 56(d) of the Bihar
Prohibition and Excise Act, 2016.

30 lts. of country made liquor is said to have been
recovered from bag kept on the motorcycle of the petitioner and
he was apprehended.

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 liquor. He has been falsely implicated in this case by



the personnel of Excise Department 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 them. He has no criminal antecedent. He has been languishing in custody since 05.07.2018.

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, Gaya in connection with Excise (Sherghati) P.S. Case no. 231 of 2018.

(Prakash Chandra Jaiswal, J)

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