

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53943 of 2018

Arising Out of PS.Case No. -74 Year- 2014 Thana -BUXAR MUFFSIL District- BUXAR

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Dinesh Kumar, S/o. Barameshwar Singh Yadav, R/o. Village- Chousa
(Domderwa), P.S. Buxar (M), District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Ataur Rahman

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

2 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 Sections 290 and 291 of the Indian Penal
Code and Section 47(A) of the Bihar Prohibition and Excise Act,
2016.

57 litres of foreign liquor is said to have been
recovered from the gumti of the petitioner and petitioner was
apprehended while jumped down from the roof of his house in a
bid 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 any trade of liquor. Though he was



apprehended by the police at the place of recovery on 28.03.2014 and send to hospital for treatment but he was not remanded in the case and petitioner has surrendered before the Court on 21.07.2018 and has been languishing in custody since then. He has no criminal antecedent. There is violation of Section 100 Cr.P.C.

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 A.D.J.- II cum Special Judge, Excise Act, Buxar in connection with Buxar (M) P.S. Case No. 74 of 2014.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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