

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48464 of 2018

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1. Sunil Kumar S/o Shambhu Rai, R/o Mohalla- Tata Colony Near Maner Block, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 08-08-2018 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 Section 30 (a) & 37 (b) of the Bihar Prohibition and Excise Act, 2016.

35 liters of country made liquor is said to have been recovered from the bush located by the side of the house of the petitioner kept there by him.

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 the place of recovery. The place of recovery is an open place and easily accessible to anyone. He has



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been falsely implicated in this case at the instance of his enemy. The seizure list does not bear either signature or L.T.I. of the petitioner. He has no criminal antecedent and has been languishing in custody since 28.06.2018.

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 Special Judge Excise, Patna in connection with Special Case No.5883/18, arising out of Maner P.S. Case No.319 of 2018.

(Prakash Chandra Jaiswal, J)

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