

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23573 of 2018**

Arising Out of PS.Case No. -104 Year- 2018 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Brajesh Ram, Son of Late Kari Ram, Resident of Village- Shankar Saraiya, Tola- Bankat, Police Station- Turkauliya, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Rajkishore Singh

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

02 26-04-2018

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) of the Bihar Prohibition and Excise Act, 2016 and Section 272 & 273/34 of the Indian Penal Code.

30 liters of country made liquor is said to have been recovered from a motorcycle and the driver of the motorcycle managed to escape while the petitioner who was a pillion rider was apprehended.

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 with the seized liquor. He has been falsely implicated in this case. He was a simple pillion rider and was sitting on the vehicle on taking lift from its driver who managed to escape seeing the police party. He has no criminal antecedent and has been languishing in custody since 24.02.2018.

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 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge Excise, East Champaran at Motihari in connection with Turkauliya P.S. Case No.104 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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