

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38185 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -MAUZAHDIPUR District- BHAGALPUR

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Diwakar Choudhary, son of Brahmdeo Choudhary, resident of Mohalla
Kutubganj, P.S. Mojahidpur (Babarganj), District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Sri Uma Shankar Prasad Singh

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

02 29-06-2018 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.

20 liters of country made liquor is said to have been
recovered from the house of the petitioner and the petitioner
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 with the
seized liquor. The house of the petitioner is inhabited by his
several family members and he had no knowledge of keeping of
the said liquor in the house. He has been falsely implicated in this



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case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 18.05.2018

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 2nd Additional Sessions Judge-cum-Special Judge Excise, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No.85 of 2018.

(Prakash Chandra Jaiswal, J)

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