

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40837 of 2018

Arising Out of PS.Case No. -368 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Dipak Kumar, S/o Satto Thakur, R/o Triveniganj, P.S.- Triveniganj,
Distt.- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 13-07-2018 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.

361 liters of foreign liquor is said to have been recovered from the Maruti Omni car and driver of the vehicle, Kameshwar Sah was apprehended who disclosed the name of the petitioner as the person taking delivery of the seized liquor.

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 vehicle in question or any trade of



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liquor. He has been falsely implicated in this case by the apprehended accused due to animosity. He was not apprehended on the spot. He has not made any confessional statement. Barring the aforesaid disclosure of the driver there is nothing on record indicating the complicity of the petitioner in the occurrence. He has no criminal antecedent and has been languishing in custody since 08.04.2018.

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 District & Sessions Judge-cum-Special Judge Excise, Bhagalpur in connection with Sabour (Goradih) P.S. Case No.368 of 2017.

(Prakash Chandra Jaiswal, J)

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