

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26489 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Vishal Kumar, Son of Baleshwar Yadav, Resident of Village- Velai, Ward
No. 19 (Bhalai), P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Adv.
For the Opposite Party/s : Mr. Nand Kishore Pd, APP 38

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

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with
Kotwali (Barari) P.S. Case No. 177 of 2018 registered under
Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

387.400 liters of country made liquor is said to
have been recovered from Innova car and four accused persons
sitting in the said vehicle, including the petitioner, were
apprehended..

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious possession of the petitioner. He has no concern either
with the seized liquor or the vehicle and had no knowledge of



keeping the liquor in the said vehicle by other persons. He was a simple commuter. He has been falsely implicated in the case at the instance of his enemy. In the first information report as well as in the seizure list, it is not mentioned that out of three persons, who was driving the said vehicle or who was keeping the liquor. He has no criminal antecedent. He has been languishing in custody since 22.03.2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Kotwali (Barari) P.S. Case No. 177 of 2018 to the satisfaction of the Special Judge, Excise, Bhagalpur.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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