

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34411 of 2018

Arising Out of PS.Case No. -44 Year- 2018 Thana -DIDARGANJ District- PATNA

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Rajesh Rai, son of Suraj Ray, resident of Village- Simli, Murarpur,
Didarganj, Police Station- Didarganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Parmeshwar Mehta

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

ORAL ORDER

2 21-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

50 litres of country made liquor is said to have been
recovered from the jute bag kept on the motorcycle of the
petitioner and Mukesh Kumar was apprehended while another
accused Vijay Paswan 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. He has been falsely implicated in the case



at the instance of his enemies. Though the aforesaid motorcycle is hailing to the petitioner, but he had given the same to Mukesh Kumar for plying the same on his demand as Mukesh Kumar happens to be his friend. He has no criminal antecedent. He has been languishing in custody since 29.04.2018.

Considering the facts aforesaid, 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. 2415 of 2018 arising out of Didarganj P.S. Case No. 44 of 2018.

(Prakash Chandra Jaiswal, J)

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