

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48468 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -IMAMGANJ District- GAYA

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1. Ajay Kumar S/o Ramdeo Yadav, R/o Vill/Mohalla-Chandi Asthan
Dariaura, P.S. Amas, District- Gaya 824211.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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

02 08-08-2018 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.

54 liters of foreign liquor and 200 kgs. of Mahua flower is said to have been recovered from the box made below the seat of the driver of the tempo and the petitioner who happens to be its driver 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 either with the seized articles or the tempo in question. He has been



- 2 -

falsely implicated in this case mistakenly as driver of the tempo while the driver of the said tempo managed to escape leaving the aforesaid articles laden tempo there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 17.06.2018.

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 Special Judge Excise, Gaya in connection with Imamganj P.S. Case No. 77 of 2018.

(Prakash Chandra Jaiswal, J)

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