

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52974 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Micki Kumar Son of Vijay Sah @ Vijay Prasad Resident of Village - Bajpatti
Ward No.5, P.S.- Bajpatti, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Sucheta Yadav

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

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with G.O. Case
No. 78 of 2019 registered for the offence punishable under
Sections 30(A) of Bihar Prohibition & Excise Act.

54 lts. of Nepali wine is said to have been
recovered from a motorcycle and petitioner and one Musha
Kumar were apprehended on the said motorcycle.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner has no concern
with the seized liquor. As a matter of fact, petitioner was
regressing from the house of his relative, and on the way, he



took lift from Musha Kumar on motorcycle and after covering some distance, on the way, police intercepted the motorcycle and demanded some graft from them, and on failure to cough up their demand, they falsely implicated the petitioner and Musha Kumar in the case planting the aforesaid recovery. Petitioner has no criminal antecedent and has been languishing in custody since 9.07.2019. Said Musha Kumar @ Rajesh Kumar has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 13.09.2019 passed in Cr. Misc. No. 55111 of 2019

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J-II-cum Special Judge, Excise Act, Sitamarhi in connection with G.O. Case No. 78 of 2019.

(Prakash Chandra Jaiswal, J)

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