

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1859 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Vikash Kumar, son of Lal Mohan Rai Resident of Village-Jahagirpur, P.S.-
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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

ORAL ORDER

4 15-02-2019 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.

110 liters of country made liquor is said to have been
recovered from the motorcycle of the petitioner and the
petitioner 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 with the
seized liquor. He happens to be a milkman and has been falsely
implicated in the case by the police at the instance of his



enemies by planting the aforesaid recovery from his possession. There is violation of Section 100 Cr.P.C. A report was called for from the learned lower Court which indicates that the chargesheet in the case has not yet been submitted. The petitioner has no criminal antecedent and has been languishing in custody since 02.12.2018.

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 Act, Patna in connection with Special Case No.11451 of 2018, arising out of Nadi P.S. Case No.197 of 2018.

(Prakash Chandra Jaiswal, J)

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