

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70599 of 2019

Arising Out of PS. Case No.-413 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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RADHE KUMAR S/o Bholi Sah @ Bholi Sah R/o village- Barahi, P.S.-
Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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

ORAL ORDER

2 04-12-2019 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.

102 litres of Nepali wine is said to have been
recovered from the possession of the petitioner.

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 by the personnel of Excise department by planting
aforesaid recovery from his possession as he failed to cough up



the demand of illegal graft made by them. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 24.06.2019.

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 Addl. District Judge-II cum Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C2-413/19.

(Prakash Chandra Jaiswal, J)

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