

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72244 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- JADOPUR District- Gopalganj

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KRISHNA KUMAR Sri Nag Lal Yadav Resident of Village- Pathara, P.S.-
Jadopur and Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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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.

33.480 litres of country made liquor is said to
have been recovered from the motorcycle and its pillion rider
managed to escape while the petitioner who was plying the
motorcycle 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. As a matter of fact, a person



carrying bag in his hand took lift on his motorcycle from the petitioner on the way to his house and seeing the police party he managed to escape leaving the aforesaid bag on the motorcycle and the petitioner had no knowledge of the contents of the aforesaid bag. He has been falsely implicated in the case merely on suspicion. He has no criminal antecedent and has been languishing in custody since 02.10.2019.

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 and Sessions Judge-II cum Special Judge, Excise, Gopalganj in connection with Jadopur P.S. Case No. 100 of 2019.

(Prakash Chandra Jaiswal, J)

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