

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76367 of 2019**

Arising Out of PS. Case No.-28 Year-2019 Thana- BEGUSARAI RAIL P.S. District-
Begusarai

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Gaurav Kumar Son of Raj Kishore Chaudhary @ Raj Kishor Singh Resident
of Village- Durgapur, Rahimpur Ward No.08, P.S.- Muffasil, District-
Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Veena Rani Prasad

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

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rail
Begusarai P.S. Case No. 28 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition & Excise
Act-2016.

15 lts. of country made liquor is said to have been
recovered from a trolley in the course of unloading from
Janseva Express train by the petitioner and one another accused.
Petitioner was apprehended along with the aforesaid trolley
while another accused managed to escape.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case by the personnel of GRP by planting the aforesaid recovery as he failed to cough up their demand of illegal graft made by them. There has been violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent and has been languishing in custody since 07.09.2019.

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, Begusarai in connection with Rail Begusarai P.S. Case No. 28 of 2019.

(Prakash Chandra Jaiswal, J)

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