

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45645 of 2018**

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1. Vikash Kumar, Son of Sh. Bindeshwari Prasad, Residents of Village-Dhandiha, Police Station- Koelwar, District Bhojpur (Ara).

.... .... Petitioner/s  
Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar  
For the Opposite Party/s : Smt. Pushpa Sinha

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

3 31-07-2018 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.

20 liters of beer is said to have been recovered from the possession of the petitioner and 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 beer. He has been falsely implicated in this case by the personnel of Excise Department merely on suspicion while he was passing through the place of occurrence at the time of occurrence



and the real culprit managed to escape dumping the aforesaid beer there seeing them. He has no criminal antecedent and has been languishing in custody since 17.05.2018.

In the facts and circumstances of the case, 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 P.R. P.S. Case No. 48 of 2018 (Corresponding to Special Case No. 4673 of 2018).

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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