

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46986 of 2017

Arising Out of PS.Case No. -257 Year- 2017 Thana -SAKRA District- MUZAFFARPUR

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Sarwan Kumar, Son of Sri Bindeshwar Rai, Resident of Village- Lautan,
P.S.- Sakra, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate.

For the Opposite Party : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
13.07.2017 in a case for the offence registered under Sections 272,
273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that the police
searched the Poultry Farm and recovered 399.780 liters of foreign
liquor. The petitioner was caught on the spot.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. 399.780 liters of foreign



liquor is said to have been recovered. It is further submitted that the aforesaid liquor was recovered from the poultry farm and not from conscious possession of the petitioner nor the petitioner had knowledge regarding the same. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Sakra P.S. Case No. 257/2017, corresponding to G.R. No. 303/2017

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(Sudhir Singh, J)

