

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18141 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Appu Sah Son of late Mahendra Sah Resident of Village- Mathiya, Police
Station-Chhatauni, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017 The petitioner is in custody since 20.01.2017 in
connection with Muffasil Motihari P.S. Case No. 26 of 2017,
registered for offences punishable under Sections 272, 273 of
Indian Penal Code and Section 30(a) Bihar Prohibition and Excise
Act.

Allegation against the petitioner is of recovery of seven
litres of country made liquor.

It has been submitted on behalf of the petitioner that
F.I.R itself shows that nothing has been recovered from the
conscious possession of the petitioner and petitioner has been
made accused in this case only on the basis of suspicion as he was
standing at the place, from where alleged recovery has been made.
So far criminal antecedent of petitioner is concerned, it has been



submitted that they are not the similar case as the present one.

Petitioner has been in custody since 20.01.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, the period of custody and also the quantity of liquor recovered, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Muffasil Motihari P.S. Case No. 26 of 2017.

It is also made clear that if the petitioner again found involved in any of such offence, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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