

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24984 of 2018**

Arising Out of PS.Case No. -45 Year- 2018 Thana -BARHARIA District- SIWAN

=====

Narayan Sah, S/o Gyan Chand Sah, R/o Village- Lakri Dargah, P.S.-  
Barhariya, District- Siwan.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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

2      01-05-2018                      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 Sections 272, 273 and 308 of the Indian  
Penal Code and Sections 30(a) and 41(1) of the Bihar Prohibition  
and Excise Act, 2016.

2.700 litres of foreign liquor is said to have been  
recovered from the motorcycle of the petitioner and the 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 liquor. He has been falsely implicated in the case



at the instance of his enemies by planting aforesaid recovery from his motorcycle. Though four more cases under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 19.02.2018.

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 2<sup>nd</sup> Additional Sessions Judge, Siwan in connection with Barharia P.S. Case No. 45 of 2018.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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