

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25602 of 2018

Arising Out of PS.Case No. -71 Year- 2016 Thana -HATHAURI District- MUZAFFARPUR

=====

1. Fool Babu Sah S/o Ram Binod Sah, R/o Vill.- Berai P.S.- Hathauri,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Madhuranand Jha

=====

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

ORAL ORDER

02 02-05-2018

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 & 273/414 of the Indian
Penal Code and Section 47 (a) 53 of the Bihar Prohibition and
Excise Act, 2016.

31.140 liters of foreign liquor is said to have been
recovered from the hut of the petitioner and one person, namely,
Ram Vinod Sah was apprehended while petitioner and three other
accused persons brewing the liquor in the hut managed to escape.

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



either with the seized liquor or the hut in question. He was not apprehended on the spot. He has been falsely implicated in this case due to dirty village politics. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 19.03.2018.

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, Muzaffarpur in connection with Hathauri P.S. Case No. 71 of 2016.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

