

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9239 of 2018

Arising Out of PS.Case No. -104 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

1. Manohar Rai S/o Sobhit Ray, R/o Village- Manganpur, P.S.-
Bhagwanpur, Distt.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Nityanand Tiwary

=====

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

ORAL ORDER

02 17-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Bhagwanpur P.S. Case
No.104 of 2016 registered under Section 272, 273 and 120-B of
the Indian Penal Code and Section 47 (A) and 54 of the Bihar
Prohibition and Excise Act, 2016.

60.345 liters of foreign liquor is said to have been
recovered from the 'Bathan' of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. The petitioner was
not apprehended on the spot. He has been falsely implicated in this



case. The aforesaid 'Bathan' from where the liquor has been seized is an open place and accessible to anyone. He has no concern with the seized liquor. He has no criminal antecedent. He has been languishing in custody since 16.01.2018.

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 Additional Sessions Judge-II, Vaishali at Hajipur-cum-Special Judge Excise, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 104 of 2017.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

