

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23300 of 2018

Arising Out of PS.Case No. -422 Year- 2017 Thana -BARHARIA District- SIWAN

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1. Narayan Sah, S/o Gyanchand Sah, Resident of Village-Lakri Dargah,
P.S.-Barhariya, District-Siwan.

.... Petitioner/s

Versus

1. 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. Md. Nazir Ansari

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

ORAL ORDER

02 26-04-2018

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 Section 35(a), 35 (b), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016 and Section 272 & 308/34 of the Indian Penal Code.

127.900 liters of foreign liquor is said to have been recovered from the room and poultry firm of the accused Rajnish Prasad @ Badmas and petitioner and other accused persons are said to be supplier of the said liquor 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 been



falsely implicated in this at the instance of his enemy. He was not apprehended on the spot. He has no concern either with the seized liquor or the place of recovery. Though three more criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. Similarly situated co-accused Sarvjeet Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.20336 of 2018 vide order dated 06.04.2018. He has been languishing in custody since 26.02.2018.

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 2nd Additional Sessions Judge, Siwan in connection with Barharia P.S. Case No. 422 of 2017.

(Prakash Chandra Jaiswal, J)

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