

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16309 of 2018

Arising Out of PS.Case No. -170 Year- 2017 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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1. Brij Kishor Raut, Son of Ram Prit Raut, Resident of Village- Maivi wrongly mentioned in the FIR as Village- Maigi, P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Dr. Indiwari Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 21-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Dumariya Ghat P.S.
Case No. 170 of 2017 registered under Section 272, 273/34 IPC
and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

121.17 liters of foreign liquor is said to have been
recovered from the Hyundai City Car and its driver, namely,
Satrudhan Raut and another person sitting in the car, namely, Brij
Kishor Raut (petitioner) were 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 been



falsely implicated in this case. The petitioner neither happens to be driver nor the owner of the said car rather a simple commuter of the same. He had no knowledge of keeping the said liquor in the vehicle. He has no criminal antecedent. He has been languishing in custody since 01.01.2018.

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 Special Judge Excise, East Champaran at Motihari in connection with Dumariya Ghat P.S. Case No.170 of 2017.

(Prakash Chandra Jaiswal, J)

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