

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9865 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -NIRMALI District- SUPAUL

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Raj Kumar Sah, son of Girdeo Sah, resident of village Kaluahi, P.S.
Laukahi, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 19-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Nirmali P.S. Case No.
131 of 2017 registered under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

71.700 liters of Nepali liquor is said to have been
recovered from the motorcycle of the petitioner and 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. The motorcycle in
question is not hailing to the petitioner. As a matter of fact, while
the petitioner was passing through the place of occurrence he was
falsely implicated in this case by the police showing the alleged



recovery of liquor from his motorcycle. He has no concern with the seized liquor. He has no criminal antecedent. He has been languishing in custody since 20.12.2017.

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-I-cum-Special Judge Excise, Supaul in connection with Nirmali P.S. Case No. 131 of 2017.

(Prakash Chandra Jaiswal, J)

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