

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25378 of 2018

Arising Out of PS.Case No. -93 Year- 2018 Thana -SAHEBGANJ District- MUZAFFARPUR

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Uday Shankar Thakur S/o Mahendra Thakur, R/o Vill.- Parsauni Raisi,
P.S.- Sahebganj, District- Muzaffarpur, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 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 and 273 of the Indian Penal
Code and Sections 30(a) and 41 of the Bihar Prohibition and
Excise Act, 2016.

108 litres of foreign liquor is said to have been
recovered from the bank of canal located towards north of litchi
orchard of Amawash Rai and the petitioner who was standing
there along with motorcycle 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. He has no concern



either with the seized liquor or with the place of recovery. Aforesaid liquor is hailing to Raju Jaiswal. The place of recovery is open place and accessible to anyone. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 18.03.2018.

Considering the facts aforesaid, 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 Sahebganj P.S. Case No. 93 of 2018.

(Prakash Chandra Jaiswal, J)

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