

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36445 of 2018

Arising Out of PS. Case No.-372 Year-2018 Thana- SITAMARHI District- Sitamarhi

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Raja Kumar, Son of Swarath Mahato @ Sogarath Mahato, resident of
Village Maniari, Police Station and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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

ORAL ORDER

4 20-07-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 372 of 2018 registered under Sections
272, 273 of I.P.C. and Section 30(a) of the Bihar Prohibition and
Excise Act-2016.

30 lts. of country made liquor is said to have been
recovered from motorcycle of the petitioner and petitioner
sitting in the said motorcycle was apprehended while another
accused, namely, Dhamrendra Kumar @ Dharmendrabin Kumar
@ Zardabala managed to escape.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from



conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. He has no criminal antecedent. He has been languishing in custody since 9.04.2018.

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 District Judge II, Sitamarhi in connection with Sitamarhi P.S. Case No. 372 of 2018.

(Prakash Chandra Jaiswal, J)

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