

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35029 of 2018

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Prabhat Chaurasiya, Son of Krishna Prasad Krishna Chaurasiya, Resident of
Village- Sahsaraon, P.S.- Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

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

2 22-06-2018 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, 273, 308 and 420 of the
Indian Penal Code and Sections 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

57.3 litres of foreign liquor is said to have been
recovered from different places including recovery of 360 ML of
foreign liquor from the possession of the petitioner and the
petitioner and two other accused persons 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 no concern



either with the seized liquor or with the place of recovery. Barring 360 ML of foreign liquor which is said to have been recovered from the possession of the petitioner, rest has been recovered from open place which is accessible to anyone. He has been falsely implicated in the case at the instance of his enemies. Chargesheet in the case has been submitted. He has no criminal antecedent. He has been languishing in custody since 24.03.2018.

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 Addl. Sessions Judge-II cum Special Judge, Excise, Siwan in connection with Bhagwanpur P.S. Case No. 70 of 2018.

(Prakash Chandra Jaiswal, J)

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