

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35671 of 2018**

Arising Out of PS.Case No. -111 Year- 2018 Thana -MOTIPUR District- MUZAFFARPUR

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1. Jamun Sah @ Jamun Sahni, Son of Daya Ram Sahni, Resident of  
Village Kalayanpur Harouna, P.S. Motipur District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy

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

02    28-06-2018    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 of the Indian Penal Code and Section 30 (a)/33 of the Bihar Prohibition and Excise Act, 2016.

30.75 liters of foreign liquor and 04 liters of spirit is said to have been recovered from the hut located on the rear side of the petitioner's house.

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 the place of recovery. He was not



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apprehended on the spot. He has been falsely implicated in this case at the instance of his enemy. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case and has been languishing in custody since 15.05.2018

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, Muzaffarpur or his successor in office in connection with Motipur P.S. Case No.111 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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