

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33819 of 2018

Arising Out of PS.Case No. -1053 Year- 2017 Thana -SITAMARHI District- SITAMARHI

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1. Vijai Patel @ Dhobi @ Vijai Raut @ Dhoni S/o Late Ayodhi Raut, R/o
Mohalla- Court Bazar, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

1. 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. Awadhesh Kumar Singh

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

03 27-06-2018 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 290, 291, 272 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

645 liters of Nepali wine is said to have been recovered from dilapidated building of the library and from the bush allegedly kept there by the petitioner.

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. The identify and genuineness of source of information has not been mentioned in the written report. Though one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been falsely implicated in this case at the instance of his enemy. He has been languishing in custody since 11.4.2018.

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 chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 1053 of 2017.

(Prakash Chandra Jaiswal, J)

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