

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38496 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -SARAIYA District- MUZAFFARPUR

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1. Bhushan Sahani son of Panchu Sahani Resident of Village - Govindpur
(Basaitha), P.S. Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 02-07-2018 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), 38 & 41 of the Bihar Prohibition and
Excise Act, 2016.

250 liters of foreign liquor is said to have been
recovered from the mango orchard of Vinod Kumar Sah and the
petitioner is said to be associate of the said accused.

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 or any trade of



liquor. He was not apprehended on the spot. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

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 in connection with Saraiya P.S. Case No. 196 of 2018.

(Prakash Chandra Jaiswal, J)

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