

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41672 of 2018**

Arising Out of PS.Case No. -59 Year- 2018 Thana -LAUKHI District- MADHUBANI

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1. Guddu Mian @ Md. Guddu Miyan, Son of Md. Jamaluddin Miyan,  
Resident of Village- Atari, P.S.- Laukahi, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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

02    13-07-2018                    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) of the Bihar Prohibition and Excise Act, 2016.

108 liters of Nepali Saufi wine is said to have been recovered from the Khadi Bhandar located adjacent to the house of the petitioner and petitioner was 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 the place of recovery. He has been falsely implicated in this case at the instance of his enemy. Though one



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more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 23.04.2018.

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 and Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Laukahi P.S. Case No.59 of 2018, G.R. No.496 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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