

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43142 of 2018

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Bablu Mukhiya @ Babblu Mukhiya @ Babblu Kumar Mukhiya @ Bablu Kumar Mukhiya, Resident of Village- Gadhiya, P.S.- Andharamath, district- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti
Miss Nitu Kumar No.7

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

129 litres of Nepali saufi wine is said to have been recovered from the motorcycle of the petitioner and the 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 with the seized liquor. He has been falsely implicated in the case



by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape seeing the police party dumping the aforesaid liquor laden motorcycle there. He has no criminal antecedent. He has been languishing in custody since 06.05.2018.

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 Additional District and Sessions Judge-II –cum- Special Judge, Excise Act, Madhubani in connection with Andramath, P.S. Case No. 52 of 2018 (G.R. No. 569 of 2018).

(Prakash Chandra Jaiswal, J)

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