

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48028 of 2018

Arising Out of PS.Case No. -148 Year- 2018 Thana -GAURICHAK District- PATNA

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1. Sanjay Bind @ Raju Bind @ Sanju Singh @ Raju Singh @ Sanju Bind
@ Sanjay Mahto, Son of Late Yadu Bind, Resident of Village- Chak
Nijamat, Police Station- Gaurichak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 07-08-2018 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 30 (a) and 37(c) of the Bihar
Prohibition and Excise Act, 2016.

100 liters of country made liquor is said to have
been recovered from the village Chak Nijamat kept beneath the
straw which is said to have been kept there by the petitioner and
three other accused persons.

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. Place of recovery is open place and is easily accessible to anyone. He has been falsely implicated in this case. He was not apprehended on the spot. The identity and genuineness of the source of information has not been mentioned in the self statement of the informant. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 31.05.2018.

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 Act, Patna in connection with Special Case No. 4891 of 2018 arising out of Gaurichak P.S. Case No. 148 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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