

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45366 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -NAUTAN District- SIWAN

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Hakim Miya, son of Sohbat Miyan, at Barka Manjha, P.S. Mairwa, District Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Adv.

For the Opposite Party : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 26-07-2018 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 and 308 of the Indian Penal Code and Section 30 (A), 38 (A) and 41 (1) of the Bihar Excise Act, 2016.

5 liters of country made liquor is said to have been recovered from the possession of 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 with the seized liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. There is violation of Section 100 Cr.P.C. Though one



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 19.05.2018.

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 Additional District Judge-II-cum-Special Judge, Excise, Siwan in connection with Nautan P.S. Case No. 91 of 2018.

(Prakash Chandra Jaiswal, J)

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