

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45843 of 2018**

=====

Jitendra Sah, son of Sanjay Sah, resident of village- Matiyar Khurd, Ward  
No. 6, P.S.- Sahiyara, District- Sitamarhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Anil Kumar, Adv.

For the Opposite Party : Smt. Veena Rani Prasadd, APP.

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

**ORAL ORDER**

02    27-07-2018                    Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered for the  
offence punishable Section 30 (A) of the Bihar Prohibition and  
Excise Act, 2016.

11.400 liters of Nepali Saufi wine 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 by the  
police merely on suspicion while he was passing through the place  
of occurrence at the time of occurrence while the real culprit  
managed to escape dumping the aforesaid liquor there seeing the



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police party. The seizure list does not bear the signature of the petitioner. He has no criminal antecedent and has been languishing in custody since 11.06.2018.

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 Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Govt. Complaint Case No. C2/321 of 2018.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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