IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44253 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- DERNI District- Saran

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Handa Rai @ Dharmnath Rai son of Late Ram Janm Rai, resident of Village- Pojhi, P.S.- Derni, District- Saran at Chapra.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Derni P.S. Case no. 29 of 2018 registered under Sections 30 and 30(a) of the Bihar Excise and Prohibition Act-2016.

100 lts. of spirit is said to have been recovered from behind the house of the petitioner while 600 lts. spirit from his orchard.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized article or with the place of recovery. The place of recovery is open place and easily accessible to anyone. He

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has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 30.06.2018.

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 6th Additional District & Sessions Judge, Saran at Chapra in connection with Derni P.S. Case no. 29 of 2018.

(Prakash Chandra Jaiswal, J)

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