

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47544 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- GHORASAHAN District- East
Champaran

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Sonu Kumar S/o Harendra Prasad Kushwaha @ Harendra Prasad, R/o Vill.-
Bijbahi, P.S.- Ghorasahan (Jitna), District - E. Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma
For the Opposite Party/s : Mr. Dashrath Mehta

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

ORAL ORDER

2 03-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in connection with
Ghorasahan (Jitna) P.S. Case No. 209 of 2018 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

237 lts. of Nepali liquor is said to have been
recovered from bush located behind the house of Sudhir Kumar
and petitioner was apprehended in the course of escaping from
the aforesaid place.

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 liquor or with the place of recovery. The place of recovery is open place and easily accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he had gone to attend the call of nature at the place of occurrence at the time of occurrence. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 03.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Motihari, E. Champaran in connection with Ghorasahan (Jitna) P.S. Case No. 209 of 2018.

(Prakash Chandra Jaiswal, J)

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