

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47389 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -KHUTAUNA District- MADHUBANI

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1. Ganesh Kumar Sah, Son of Nasib Lal Sah, Resident of Village- Khutauna
Ward No.12, P.S.- Khutauna, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Anish Chandra

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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 a case registered for the offence punishable under Sections 272 & 273 of the Indian Penal Code and Sections 30 (a) and 38(i) (2) of the Bihar Prohibition and Excise Act, 2016 (G.R. No. 487 of 2018).

93.570 liters of Nepali saufi wine is said to have been recovered from the motorcycle of the petitioner and petitioner was apprehended.

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 and the real culprit managed to escape dumping the said liquor there seeing the police personnel. Though two more criminal cases have been lodged against the petitioner but he is on bail in the said cases. He has been languishing in custody since 21.04.2018.

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 and Sessions Judge-II -cum-Special Judge Excise Act, Madhubani (G. R. No. 487 of 2018) in connection with Khutauna P.S. Case No. 37 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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