

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47546 of 2018

Arising Out of PS. Case No.-304 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Narad Pandey S/o Awadhesh Pandey, R/o Vill.- Jhunapur, P.S.- Siwan
(Muffasil), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Varma
For the Opposite Party/s : Mr. Rana Randhir Singh

**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 Siwan
(Mufassil) P.S. Case No. 304 of 2018 registered for the offence
punishable under Section 272, 273 of I.P.C. and Sections 30(a),
38(i), 41 (i) of the Bihar Prohibition and Excise Act, 2016.

11 lts. of foreign liquor is said to have been
recovered from motorcycle of the petitioner and 10.88 lts.
foreign liquor and 48 bottles of foreign liquor from his house.

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 with the
seized article. He has been falsely implicated in this case at the



instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in the said house. The motorcycle in question is not hailing to him. He was not apprehended on the spot. Though, one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 06.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Siwan (Mufassil) P.S. Case No. 304 of 2018.

(Prakash Chandra Jaiswal, J)

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