

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49343 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -ANGADH District- PURNIA

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Md. Israil, son of Ataur Rahman R/o village- Kattha Mattha, (Chaman Tola), P.S.- Kochadhaman, District-Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 10-08-2018 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

42.600 liters of country made liquor is said to have been recovered from the bicycle and the petitioner was apprehended in course of escaping after dumping the aforesaid liquor laden bicycle.

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 either with the seized liquor or the bicycle in question. He has been falsely implicated in this case by the police merely on suspicion



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while he was passing through the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the liquor laden bicycle there seeing the police party. He has no criminal antecedent and has been languishing in custody since 27.05.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Purnea in connection with Special Excise Case No. 512 of 2018.

(Prakash Chandra Jaiswal, J)

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