

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48511 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -LAUKHI District- MADHUBANI

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1. Anil Kumar S/o Hari Krishna Sah @ Hare Krishna Sah, R/o Vill.-
Majhari, P.S.- Nirmali, District- Supaul.

.... 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. Ashlam Ansari

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

02 08-08-2018 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.

150 liters of Nepali liquor is said to have been recovered from the bag kept on the motorcycle and the petitioner was apprehended in course of escaping leaving the liquor laden motorcycle.

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 motorcycle in question. He has been



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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 aforesaid liquor laden motorcycle there seeing the police personnel. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 11.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Laukahi P.S. Case No. 88 of 2018.

(Prakash Chandra Jaiswal, J)

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