

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47940 of 2018

Arising Out of PS.Case No. -239 Year- 2016 Thana -IMAMGANJ District- GAYA

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Lalan Bharti, Son of Late Chamari Bharti, resident of Village- Badrki,
Parasia, P.S. Imamganj, Dist.- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272/34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

8 litres of country made liquor and 5 Kg of Jawa
Mahua are said to have been recovered from the house of the
petitioner.

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 article. He has been falsely implicated in the case



at the instance of his enemies. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the aforesaid article in the house. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 15.05.2018.

Considering the facts aforesaid, 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 Special Judge, Excise, Gaya in connection with Imamganj P.S. Case No. 239 of 2016.

(Prakash Chandra Jaiswal, J)

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