

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50792 of 2018

Arising Out of PS.Case No. -270 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN (MOTIHARI)

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Chhathu Sharma @ Chhotu Sharma S/o Late Mukti Nath Sharma, R/o Vill.-
Sharma Tola, P.S.- Gobindganj, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Tiwari, Adv.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 20-08-2018 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 Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

36 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 aforesaid liquor there seeing the personnel of Excise Department. 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 Special Judge, Motihari, East Champaran in connection with Excise Case No. 270 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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