

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50255 of 2018

Arising Out of PS.Case No. -338 Year- 2018 Thana -KAHALGAON District- BHAGALPUR

=====

Shibu Choudhary S/o Anarsi Choudhary, R/o Mohalla- Kahalgaon Hatia
Road, Ward No. 15, P.S.- Kahalgaon, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party : Mr. Narendra Kumar Singh, APP.

=====

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

ORAL ORDER

2 14-08-2018 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 188 and 290 of the Indian Penal Code and Sections 30 (a) and 56(c) of the Bihar Prohibition and Excise Act, 2016.

124 liters of foreign liquor is said to have been recovered from the joint house of the father of the petitioner and petitioner and his two brothers managed to escape.

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 at the instance of his enemy. The house of the petitioner is inhabited by



his several family members and he had no knowledge of keeping of the said liquor in the house. There is violation of Section 100 Cr.P.C. Petitioner was not apprehended at the spot. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

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 District and Sessions Judge-II-cum-Special Judge Excise, Bhagalpur in connection with Kahalgaon P.S. Case No. 338 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

U		T	
---	--	---	--

