IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50148 of 2018

Arising Out of PS.Case No. -130 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District- BHAGALPUR

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Chhotu Kumar, Son of Late Umesh Sah, Resident of Village- Naya Gaon, East Colony, Police Station- East Colony District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Surya Narayan Sah
For the Opposite Party/s : Mr. Lalan Kumar

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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 30 (a) of the Bihar Prohibition and Excise Act, 2016.

7.500 liters of beer is said to have been recovered from the possession 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 liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his

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possession. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 15.06.2018.

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- 2nd -cum-Special Judge Excise Act, Bhagalpur in connection with Excise Case No. 130 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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