

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1733 of 2018

Arising Out of PS.Case No. -95 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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1. Rajesh Bhagat S/o Prem Sagar Bhagat @ Shukul Bhagat, R/o Village-
Gambhiran, P.S.- Raghunathpur, District- Siwan, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Raghunathpur P.S. Case
No. 95 of 2017 registered under Section 30/38 of the Bihar
Prohibition and Excise Act, 2016 and Sections 272, 273 and 308
of the Indian Penal Code.

162 liters of foreign liquor is said to have been
recovered from the Sota of Diara of village Kausar Bagicha and
four persons including the petitioner managed to escape. They
have been named by the villagers.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. The petitioner has



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no concern either with the place of occurrence or with the seized liquor. Police has not disclosed the name of the villagers who have disclosed the name of the petitioner in the occurrence. Though two criminal cases have been lodged against the petitioner but the petitioner is on bail in the aforesaid cases. He has no criminal antecedent. The petitioner has been languishing in custody since 06.10.2017.

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 Judge-II-cum-Special Judge Excise, Siwan in connection with Raghunathpur P.S. Case No. 95 of 2017.

(Prakash Chandra Jaiswal, J)

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