

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50241 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN (MOTIHARI)

=====

Saddam Hussain S/o Shekh Mumtaz, R/o Vill.- Kharuhi Bara Farid, P.S.-
Kundwa Chainpur, District- East Champaran, Motihari.

.... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party : Mr. Shantanu Kumar, APP

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

ORAL ORDER

02 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 272 and 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

63 liters of Nepali Saufi wine is said to have been recovered from the motorcycle of the petitioner and petitioner and one another co-accused namely Md. Sanwar Alam were 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



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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 on his motorcycle and the real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 27.06.2018

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 (Excise), East Champaran, Motihari in connection with Kundwa Chainpur P.S. Case No. 94 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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