

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48461 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -KATRA District- MUZAFFARPUR

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1. Praveen Kumar Thakur S/o Bhubneshwar Thakur, R/o Vill.- Lakhanpur,
P.S.- Katra, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 08-08-2018 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 & 273 of the Indian Penal Code and Section 30 (a), 36 & 38 of the Bihar Prohibition and Excise Act, 2016.

98.64 liters of foreign liquor is said to have been recovered from the southern side of the house of the petitioner on the disclosure made by him and he was apprehended from his house.

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 either with the seized liquor of the place of recovery. Place of recovery is



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an open place. He had not made any disclosure and no liquor was seized on the basis of disclosure made by him. He has been falsely implicated in this case by the police at the instance of his enemy. The seizure list does not bear the signature of the petitioner. Though two more cases under the Excise Act have been lodged against the petitioner but he is on bail in the said cases. He has been languishing in custody since 29.06.2018.

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 Act, Muzaffarpur in connection with Katra P.S. Case No. 136 of 2018.

(Prakash Chandra Jaiswal, J)

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