

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50532 of 2018

Arising Out of PS.Case No. -173 Year- 2018 Thana -BAUSI District- PURNIA

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Anil Mistri, S/o. Late Lalchand Mistri, R/o. Village- Routara, P.S.- Routara,
District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 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 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

66.720 litres of foreign liquor is said to have been
recovered from the Indigo Car and petitioner who happens to be
its driver was apprehended during the course of escaping from the
said car.

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 or with the car in question. He has



been falsely implicated in this case by the police merely on suspicion while he was standing near the place of occurrence at the time of occurrence in the wait of a bus while the real culprit managed to escape leaving liquor laden car there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 08.07.2018.

Considering the facts aforesaid, 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 Session judge 2nd cum Special Judge, Excise, Purnea in connection with Baisi P.S. Case No. 173 of 2018 arising out of Special excise Cse No. 648 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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