

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51671 of 2018

Arising Out of PS. Case No.-254 Year-2018 Thana- MAJORGANJ District- Sitamarhi

Devendra Kumar, S/o Late Asarfi Ray @ Late Asharfi Yadav, R/o Vill-Sirahi,
P.S. Riga, Distt-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Ashok Kumar

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

ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Majorganj P.S. Case no. 254 of 2018 registered for the offence
punishable under Sections 272, 273 of I.P.C. and Section 30(A)
of the Bihar Prohibition and Excise Act, 2016.

36 lts. of Nepali Saufi wine is said to have been
recovered from motorcycle of the petitioner and he was
apprehended after giving chase.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the motorcycle in question. He



has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor laden motorcycle there seeing the police personnel. He has no criminal antecedent. He 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 bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Majorganj P.S. Case no. 254 of 2018.

(Prakash Chandra Jaiswal, J)

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