

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52243 of 2018

Arising Out of PS.Case No. -243 Year- 2015 Thana -RAXAUL District- EASTCHAMPARAN
(MOTIHARI)

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Binda Mallik son of Bhabhikshan Mallik, resident of Village- Ahirwatola
Dom patti P.S.- Raxaul, Dist- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 25-08-2018 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 47 (A) of the Excise Act, 2016.

700 liters of country made liquor is said to have been recovered from besides the straw house of the petitioner and the petitioner managed to escape.

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 the place of recovery. The place of recovery is an open place and easily accessible to anyone and he



had no knowledge of keeping of the said liquor there by someone.
He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 21.06.2018.

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 Motihari, East Champran, in connection with Raxaul P.S. Case No. 243 of 2015.

(Prakash Chandra Jaiswal, J)

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