

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52613 of 2018

Arising Out of PS.Case No. -239 Year- 2018 Thana -TAJPUR District- SAMASTIPUR

=====

Pankaj Kumar, Son of Uma Shankar Sah, resident of village – Gangapur,
P.S.-Waini, District – Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a) and 38(i)(ii) of the Bihar Prohibition and
Excise Act, 2016.

4.320 litres of foreign liquor is said to have been
recovered from the bush located behind the hotel of the petitioner
and the petitioner was 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
either with the seized liquor or place of recovery. Place of
recovery is open place and is easily accessible to anyone. Seizure



list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 18.07.2018.

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 6th Addl. Sessions Judge cum Special Judge, Excise Act, Samastipur in connection with Tajpur (Waini) P.S. Case No. 239 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

