

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54001 of 2018

Arising Out of PS.Case No. -225 Year- 2018 Thana -CHHATAPUR District- SUPAUL

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Janardan Sardar, Son of Sajjan Sardar, Resident of Village- Sohata, Sahta
(Ward No.-3), P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 31-08-2018 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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

8 litres of country made liquor is said to have been
recovered from the bamboo clump located behind the house of the
petitioner and petitioner was apprehended during the course of
escaping.

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 place of recovery. The



place of recovery is open place and easily accessible to anyone. He has been falsely implicated in the case at the instance of his enemy. The 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 19.07.2018.

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 Sessions Judge-II cum Special Judge, Excise, Supaul in connection with S.T. Excise No. 539 of 2018 arising out of Chhatapur P.S. Case No. 225 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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