

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54017 of 2018

Arising Out of PS.Case No. -38 Year- 2017 Thana -MUSAHARI District- MUZAFFARPUR

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Sudhanshu Kumar @ Madhumangal Mishra, S/o. Birendra Mishra, R/o.
Village- Dawarika nagar, P.S.- Mushahari, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh

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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 Sections 272 and 273 of the Indian Penal
Code and Sections 30(a), 36 and 38 of the Bihar Prohibition and
Excise Act, 2016.

10 cartons of foreign liquor is said to have been
recovered from the Fista Car parked on the door of the petitioner
while 11 cartons of foreign liquor is said to have been recovered
from his house unloaded from the said car and 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 with the vehicle in question or any trade of liquor. He has been falsely implicated in the case at the instance of his enemy. The house of the petitioner is inhabited by his several family members and he had no knowledge of unloading of liquor in the house by his family members in his absence. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 14.06.2018.

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 Special Judge, Excise Act, Muzaffarpur in connection with Mushahari P.S. Case No. 38 of 2017.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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