

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54074 of 2018

Arising Out of PS.Case No. -723 Year- 2018 Thana -SITAMARHI District- SITAMARHI

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Suresh Pal @ Suresh Raut, Son of Late Jhingur Pal, resident of village –
Ringbadh Ward No.2, Vadehi Nagar, Janki Sthan, Police Station –
Sitamarhi, District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar

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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.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273 and 414 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

78.480 litres of foreign liquor is said to have been
recovered from near the boundary of the house of the petitioner
and the petitioner was apprehended in 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
with the seized liquor. He has been falsely implicated in the case



at the instance of his enemies. Place of recovery is open place located outside the house of the petitioner and he had no knowledge of keeping of the liquor there. 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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 723 of 2018.

(Prakash Chandra Jaiswal, J)

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