

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52773 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -SHYAMPUR BHATHA District- SHEOHAR

=====

Bachchu Sahni, Son of Late Bilas Sahni, resident of village – Parsauni,
P.S.-Phenahara, District – East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

=====

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.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) and 37(b) of the Bihar
Prohibition and Excise Act, 2016 and Section 185 of M.V. Act.

20 litres of toddy is said to have been recovered
from the motorcycle of the petitioner and the petitioner was
apprehended in inebriated condition.

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 toddy. He has been falsely implicated in the case at
the instance of his enemies by planting aforesaid recovery from
his possession. He had not consumed any liquor. He happens to be



teetotaller. Seizure list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 21.07.2018.

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.-I cum Special Judge, Sheohar in connection with Bhataha P.S. Case No. 71 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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

