

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54020 of 2018

Arising Out of PS.Case No. -80 Year- 2018 Thana -ARER District- MADHUBANI

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Ramji Sahani, Son of Late Thakkan Sahani, Resident of Village- Dhanga
Purbari Sahani Tole, P.S Arer, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Dinesh 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 Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

111.600 litres of Nepali saufi wine is said to have
been recovered from the hut located in the courtyard of the house
of the petitioner. Petitioner is who said to be indulged in the
business of liquor managed to escape seeing the police party.

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 any trade of liquor. He has been falsely implicated in the case at the instance of his enemy by planting aforesaid recovery from his courtyard. Copy of the seizure list does not bear signature of occupant of the house. There is violation of Section 100 Cr.P.C. He was not apprehended on the spot. Though one more criminal case under the Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 17.06.2018.

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 Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani in connection with Arer P.S. Case No. 80 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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