

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52161 of 2018

Arising Out of PS. Case No.-553 Year-2018 Thana- MOTIPUR District- Muzaffarpur

Manoj Sahani S/o Jiya Lal Sahani, R/o Vill.- Madhopur, P.S.- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 28-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Motipur P.S. Case No. 553 of 2018 registered for the offence punishable Sections 272, 273 of the I.P.C. and Section 30(a) of Bihar Prohibition Excise Act, 2016.

860 ml. of foreign liquor is said to have been recovered from Bathan of the petitioner and he managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from 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 had no knowledge of keeping of liquor in the aforesaid place. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 28.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Motipur P.S. Case No. 553 of 2018.

(Prakash Chandra Jaiswal, J)

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