

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53763 of 2018

Arising Out of PS.Case No. -151 Year- 2018 Thana -BAHERI District- DARBHANGA

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Lal Babu Sah, Son of Sri Ram Chandra Sah, Resident of Village- Kamar
Pokhar, P.S.- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Panchanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-08-2018 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

132.46 liters of foreign liquor is said to have been recovered from the straw house of the petitioner and the petitioner was apprehended.

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 this case at the instance of his enemy. The said straw house is open place and



easily accessible to anyone. He had no knowledge of keeping of the liquor in the said house. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 26.07.2018.

In the facts and circumstances of the case, 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-IV-cum-Special Judge, Darbhanga in connection with Baheri P.S. Case No. 151 of 2018.

(Prakash Chandra Jaiswal, J)

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