

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53998 of 2018

Arising Out of PS.Case No. -119 Year- 2018 Thana -RAGHUNATHPUR District- SIWAN

=====

Mustafa Khan, Son of Late Sakur Khan, Resident of Village- Harpur, P.S.-
Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

=====

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, 273, 308 and 34 of the
Indian Penal Code and Sections 30(A), 38(A) and 41(1) of the
Bihar Prohibition and Excise Act, 2016.

985 litres of foreign liquor is said to have been
recovered from the field of Sambhumiya which is said to have
been kept there by the eleven accused persons including the
petitioner and all the accused persons managed to escape barring
the petitioner.

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 with the place of recovery or any trade of liquor. The place of recovery is open place and easily accessible to anyone. He happens to be aged about 85 years old and is paralytic and totally bed ridden. He has been falsely apprehended from his house and implicated in this case as his sons are having criminal antecedent and are named in the case. He has no criminal antecedent. He has been languishing in custody since 10.07.2018.

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 Additional District Judge cum Special Judge, Excise, Siwan in connection with Raghunathpur P.S. Case No. 119 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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

