

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8331 of 2018

Arising Out of PS.Case No. -353 Year- 2017 Thana -BIRAUL District- DARBHANGA

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1. Indal Sahu @ Indal Sah S/o Sri Ganesh Sah Resident of Supaul Afjala,
P.S. Biraul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Kishore

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 15-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Biraul
P.S. Case No. 353 of 2017 registered under Sections 272, 273/34
of the Indian Penal code and Sections 30(a), 41(i), 38(i) of Bihar
Excise Amendment Act -2016.

1457.28 liters of foreign liquor is said to have been
recovered beneath the Durga Temple.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
conscious physical possession. Petitioner was not apprehended
from the spot. His name has come on the basis of secret
information as per FIR but identity and genuineness of the



information has not been disclosed by the I.O. Though one more case under Excise Act is against the petitioner but he is on anticipatory bail in that case. He has no concern with the seized liquor. Similarly situated co-accused, namely, Tripurary Choudhary @ Pappu Choudhary has been allowed anticipatory bail in Criminal Miscellaneous No. 1980 of 2018 by co-ordinate Bench of this Court. He has no criminal antecedent. He has been languishing in custody since 04.01.2018.

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 4th Addl. Sessions Judge-cum-Special Judge, Darbhanga in connection with Biraul P.S. Case No. 353 of 2017.

(Prakash Chandra Jaiswal, J)

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