

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8591 of 2018

Arising Out of PS. Case No.-680 Year-2017 Thana- MOTIHARI TOWN District- East
Champaran

Prabhu Sah, Son of late Sathu Sah, Resident of Village-Bakhari Bazar, P.S.-
Patahi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Opposite Party/s : Mr. Atul Chandra

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

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Motihari Town
P.S. Case no. 680 of 2017 registered under Section 30 (a) of the
Bihar Excise and Prohibition Act 2016.

40.5 lts. of Nepali wine is said to have been recovered from
the tempo and petitioner who happens to be driver of the said
tempo was apprehended.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from his conscious
physical possession. Petitioner happens to be driver of the said
vehicle, but he had left the service one year back due to non-
payment of his wages by its owner and now he has no concern



either with the said tempo or with the seized liquor. He has no criminal antecedent. He has been languishing in custody since 18.10.2017.

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 of Excise, Motihari in connection with Motihari Town P.S. Case no. 680 of 2017.

(Prakash Chandra Jaiswal, J)

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