

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8580 of 2018

Arising Out of PS. Case No.-201 Year-2017 Thana- DAGARUA District- Purnia

Subhash Sah @ Subhash Kumar @ Subhash, Son of Harinarayan Prasad,
Resident of Ward No.32, Khagra, Paswan Tola, Police Station- Kishanganj in
the district of Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Smt. Madhuri Lata

**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 Dagarwa P.S.
Case no. 201 of 2017 registered under Sections, 273 of the
Indian Penal Code and Section 30(a) of the Bihar Excise and
Prohibition Act 2016.

126 lts. of foreign liquor is said to have been recovered
from Bolero vehicle and two accused persons namely, Raja and
Anand were arrested who disclosed the name of the petitioner as
owner of said liquor.

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 on the



spot. He has no concern either with the seized liquor or with any business of liquor. There is nothing in the record indicating the complicity of the petitioner barring the aforesaid statement of the co-accused. He has no criminal antecedent. He has been languishing in custody since 09.12.2017.

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 3rd Addl. Sessions Judge-cum-Special Judge (Excise), Purnea in connection with Dagarwa P.S. Case no. 201 of 2017.

(Prakash Chandra Jaiswal, J)

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