

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25171 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -PUPRI District- SITAMARHI

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1. Md. Islam Nadaf, son of Md Yasin, resident of Village- Belmohan, Pupri,
P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 01-05-2018 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 272/273 of the Indian Penal
Code and Section 30 (a), 38 & 41 of the Bihar Prohibition and
Excise Act, 2016.

51 liters of country made liquor and some Nepali
saufi wine is said to have been recovered from the mustard field
located in front of newly constructed house of 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 the place of recovery. The place of



recovery is an open place and easily accessible to everyone. The petitioner was not apprehended on spot. He has no criminal antecedent and has been languishing in custody since 13.03.2018.

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 A.D.J.-II-cum-Special Judge Excise Act, Sitamarhi in connection with Pupri P.S. Case No.55 of 2018.

(Prakash Chandra Jaiswal, J)

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