

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27049 of 2018

Arising Out of PS. Case No.-1088 Year-2017 Thana- SITAMARHI District- Sitamarhi

Vijay Raut @ Vijay Patel @ Dhoni, son of Late Ayodhi Raut, R/o Court Bazar, Ward No. 7, P.S. & District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Sitamarhi P.S. Case no. 1088 of 2017 registered under Sections 272, 273 of I.P.C. and Section 30(a) of Bihar Prohibition & Excise Act-2016.

78 lts. of Nepali Saufi wine is said to have been recovered from a lane located beside the library. The said liquor is said to have been kept there by the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery which is an



open place. He was not apprehended on the spot. The identity and genuineness of source of information has not been mentioned in the FIR. He has been falsely implicated in the case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 29.03.2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Sitamarhi in connection with Sitamarhi P.S. Case no. 1088 of 2017.

(Prakash Chandra Jaiswal, J)

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