

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19340 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -PANDAUL District- MADHUBANI

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Kari Sah, Son of Late Kapal Sah @ Late Kapal Sahu, Resident of Village-
Belahi, Police Station- Pandauk, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a), 36, 38(a) and 41(a) of the Bihar
Prohibition and Excise Act, 2016.

180 litres of foreign liquor is said to have been
recovered from the tempo and the petitioner was apprehended
while three other accused persons including its driver managed to
escape.

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 with the aforesaid tempo. He happens to be simple commuter and he had no knowledge of keeping of the liquor in the said tempo by its driver. He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 12.01.2018.

Considering the facts aforesaid, 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 2nd Addl. District and Sessions Judge cum Special Judge, Excise Act, Madhubani in connection with Pandaul P.S. Case No. 07 of 2018.

(Prakash Chandra Jaiswal, J)

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