

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41648 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -RAGHUNATHPUR District- SIWAN

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Dharmendra Chouhan Son of Late Tilak Chouhan, resident of Village-
Raghunathpur, Police Station- Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 12-07-2018 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 Sections 272, 273 and 308/34 of the Indian Penal Code and Section 30(A), 38(A), 41(1) of the Bihar Prohibition and Excise Act, 2016.

24.120 liters of foreign liquor is said to have been recovered from the motorcycle of the petitioner and petitioner was apprehended riding on the said motorcycle while another accused 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 with the seized liquor. He has been falsely implicated in this case at the



instance of his enemy. He happens to be a pillion rider and was travelling on it by taking lift from its driver who managed to escape seeing the police party leaving the liquor laden motorcycle. He has no criminal antecedent and has been languishing in custody since 29.05.2018.

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 Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Raghunathpur Police Station Case No. 88 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/Sanjeev

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