

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42295 of 2018

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Harishankar Sah, S/o Achhelal Sah, R/o Village Pithawa, P.S.-Jharakhar,
District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-07-2018 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 273/34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

33 litres of Nepali wine is said to have been
recovered from the motorcycle and the petitioner sitting on the
said motorcycle was apprehended 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 was driving the aforesaid motorcycle



and had given lift to a person on the way without knowing keeping of the liquor in the bag by him who managed to escape seeing the police party leaving the aforesaid bag on his motorcycle. He has no criminal antecedent. He has been languishing in custody since 08.06.2018.

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 Special Judge, Excise, East Champaran, Motihari in connection with Ghorasahan (Jharakhar) P.S. Case No. 222 of 2018.

(Prakash Chandra Jaiswal, J)

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