

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44925 of 2018

Arising Out of PS.Case No. -219 Year- 2018 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Arkesh Giri S/o Gopal Giri, R/o Vill.- Vijvani, P.S. Jitna (Ghorashhan),
District- E. Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate.
Mr. Shailendra Kumar, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-07-2018 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 414/34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

27 litres of Nepali liquor is said to have been
recovered from the dicky of the motorcycle and the petitioner
sitting on the said motorcycle was apprehended.

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 motorcycle in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape leaving the aforesaid liquor laden motorcycle there seeing the police party. Seizure list does not bear the signature of the petitioner. He has no criminal antecedent. He has been languishing in custody since 07.06.2018.

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 P.S. Case No. 219 of 2018.

(Prakash Chandra Jaiswal, J)

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