

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41790 of 2018

Arising Out of PS.Case No. -145 Year- 2018 Thana -MANIHARI District- MUZAFFARPUR

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Sanjay Kumar, Son of Sadhu Prasad Rai @ Sadhu Prasad Yadav, resident
of village – Sahpur, Maricha, P.S.-Maniyari, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Dinesh Singh

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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.

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), 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

80.49 litres of foreign liquor is said to have been
recovered from the house of the petitioner and his father 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
with the seized liquor. He has been falsely implicated in the case
at the instance of his enemies. The house of the petitioner is



inhabited by several family members and he had no knowledge of keeping of the said liquor in the house. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 15.06.2018. Father of the petitioner namely Sadhu Prasad Rai has been enlarged on bail by a co-ordinate bench of this court vide order dated 09.07.2018 passed in Cr. Misc. No. 39631 of 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, Muzaffarpur in connection with Maniyari P.S. Case No. 145 of 2018.

(Prakash Chandra Jaiswal, J)

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