

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42266 of 2018

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Binod Kumar Tatma @ Binod Kumar Tatwan @ Binod Kumar, Son of Jata Shankar Das, Resident of Village- Sudin Chouk, Tatwa Toli, Police Station- K. Hat Sahayak, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Amrendra Prasad

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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.

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

30 litres of country made liquor is said to have been recovered from the bush and the petitioner 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 place of recovery. Place of recovery is open place. He has been falsely implicated in the case



by the police merely on suspicion while he had gone to attend call of nature at the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 19.06.2018.

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 2nd Addl. Sessions Judge cum Special Judge, Excise, Purnea in connection with Special Excise Case No. 586 of 2018 arising out of Sadar P.S. Case No. 322 of 2018.

(Prakash Chandra Jaiswal, J)

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