

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45253 of 2018

Arising Out of PS.Case No. -133 Year- 2018 Thana -GAUTAMBUDHNAGAR District- SIWAN

=====

Sheshnath Prasad, S/o. Bashishth Prasad, R/o. Village- Tarwara Kurmtola
alias Tarwara, P.S.- Gautam Budh Nagar (G.B. Nagar), District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

=====

**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 & 308 of the Indian Penal Code and Sections 30, 34, 38, 41 and 36 of the Bihar Prohibition and Excise Act, 2016.

8.1 liters of foreign liquor is said to have been recovered from the bush located in the field of Parsuram Singh allegedly kept there by the petitioner and the petitioner managed to escape seeing the police party.

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 the place of recovery. He has been



falsely implicated in this case at the instance of his enemy. The place of recovery is an open place and easily accessible to anyone. He was not apprehended on the spot. He has been languishing in custody since 27.06.2018.

In the facts and circumstances of the case, 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 Additional Sessions Judge-II -cum-Special Judge Excise Act- Siwan in connection with Gauta Budh Nagar (G.B. Nagar), P.S. Case No. 133 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

