

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43553 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

=====

1. Kundan Kumar, S/o Late Madan Prasad Singh, Resident of Village-
Shiuri Gopinathpur, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 19-07-2018 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), 38 & 41 of the Bihar Prohibition and
Excise Act, 2016.

279 liters of foreign liquor is said to have been
recovered from the banana orchard located behind the house of the
petitioner allegedly kept there by the petitioner.

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 or any



trade of liquor. The place of recovery is an open place and easily accessible to anyone. He was not apprehended on the spot. He has been falsely implicated in the case at the instance of his enemy. He has no criminal antecedent and has been languishing in custody since 06.06.2018.

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 Act, Muzaffarpur in connection with Saraiya P.S. Case No. 187 of 2017.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

