

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47758 of 2018

Arising Out of PS.Case No. -107 Year- 2018 Thana -SAHIYARA District- SITAMARHI

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Suraj Kumar, Son of Rajkishor Mahto, resident of village – Matiyar Khurd,
P.S.-Sahiyara, District – Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 06-08-2018 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, 273 and 414 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

36 litres of Nepali saufi wine is said to have been
recovered from the motorcycle of the petitioner 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
with the seized liquor. 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 dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent. He has been languishing in custody since 24.06.2018.

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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sahiyara P.S. Case No. 107 of 2018.

(Prakash Chandra Jaiswal, J)

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