

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48289 of 2018

Arising Out of PS.Case No. -139 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Ashok Chaudhary Son of late Mohan Chaudhary Resident of Village-
Paroriya, Police Station- Muffasil, District-Gaya.

.... Petitioner/s

Versus

1. 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. Md. Arif (APP)

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 08-08-2018 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 of the Indian Penal Code and Section 47 (A) of the Bihar Prohibition and Excise Act, 2016.

20 liters of country made liquor and utensils are said to have been recovered from the village Paroriya Hat and petitioner managed to escape from the said place, who was identified by the local Chaukidar and villagers.

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 articles or the place of recovery. Place of recovery



is an open place and is easily accessible to anyone. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has been falsely implicated in this case due to dirty village politics. He has no criminal antecedent and has been languishing in custody since 11.06.2018.

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 Special Judge Excise Act, Gaya in connection with Muffasil P.S. Case No. 139 of 2016.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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