

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49294 of 2018**

Arising Out of PS.Case No. -614 Year- 2017 Thana -MOTIHARI MUFASIL District-  
EASTCHAMPARAN (MOTIHARI)

=====

Prem Patel @ Prem Rai @ Prem Shankar Ray S/o Late Shankar Rai, R/o  
vill.- Raghunathpur, P.S.- Turkaulia, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance:**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Arun Kumar Singh -5

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

2      10-08-2018                      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 and 273 of the Indian Penal  
Code and Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

12 litres of Nepali saufi wine is said to have been recovered  
from the dickey of the Xylo car and the persons sitting in the said car  
were apprehended while the petitioner, who as per apprehended  
accused, is driver of the said vehicle managed to escape.

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 vehicle in question. He has been falsely implicated in the case by the apprehended accused due to animosity. Barring the aforesaid disclosure made by the apprehended accused, there is nothing in the record indicating the complicity of the petitioner in the occurrence. Though one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 27.06.2018.

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, East Champaran, Motihari in connection with Mufasil P.S. Case No. 614 of 2017.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

