

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52781 of 2018

Arising Out of PS. Case No.-2 Year-2018 Thana- BEERPUR District- Begusarai

Sunil Sah S/o Nago Sah, R/o Vill.- Siuri @ Siwri, P.O.- Manjhaul, P.S.-
Chariabariyarpur @ Cheria Bariarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirmala Kumari

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

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

ORAL ORDER

2 27-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Birpur
P.S. Case no. 02 of 2018 registered for the offence punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act,
2016 and Section 414 of I.P.C.

1268.28 lts. of foreign liquor is said to have been
recovered from the Bolero pick-up van and its driver, owner and
other accused persons managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the vehicle in question. He does



not happen to be owner of the said vehicle. He was not apprehended on the spot. He is not named in the FIR. He has been falsely implicated in this case at the instance of his enemy. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 04.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Birpur P.S. Case no. 02 of 2018.

(Prakash Chandra Jaiswal, J)

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