

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51367 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -RAJNAGAR District- MADHUBANI

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Ramadhin Rai, S/o. Sri Ram Sagar Rai, R/o. Village- Akamma, P.S.- Raj Nagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 21-08-2018 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 and 34 of the Indian Penal Code and Sections 30(a) and 38(2) of the Bihar Prohibition and Excise Act, 2016.

1345.83 litres of foreign liquor is said to have been recovered from the under-construction building of Shishupal 10+2 High School and as per the secret information the aforesaid liquor was kept there by the petitioner and one another accused Ram Karan Rai. The petitioner was apprehended from his house.

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. He has been falsely implicated in the case at the instance of his enemy. The identity and genuineness of the sources of information has not been mentioned in the written report of the informant. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 17.06.2018.

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 Additional District and Sessions Judge-Ii cum Special Judge, Excise, Madhubani in connection with Raj Nagar P.S. Case No. 196 of 2018, G.R. No. 848 of 2018.

(Prakash Chandra Jaiswal, J)

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