

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53546 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Lalan Bhagat, S/o Late Ram Pd. Bhagat, R/o Vill-Dhanaiya, P.S. Sahebganj,
Distt-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Madan Kumar

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

ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Sahebganj P.S. Case no. 242 of 2018 registered for the offence
punishable under Sections 272, 273 of IPC and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

52.530 lts. of foreign liquor is said to have been
recovered from the house of the petitioner and he was
apprehended sitting on the door of the house while 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 any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in the house. He happens to be handicapped. He had not made any disclosure before the police. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 02.07.2018.

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 Special Judge, Excise Act, Muzaffarpur in connection with Sahebganj P.S. Case no. 242 of 2018.

(Prakash Chandra Jaiswal, J)

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