

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19048 of 2018

Arising Out of PS. Case No.-365 Year-2017 Thana- JOKIHAT District- Araria

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Aasu @ Aansu S/o Faruk Sah, R/o village- Jokihat Sisauna Fakir Tola, P.S.-
Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Jokihat
P.S. Case no. 365 of 2017 registered under Sections 290, 272,
273/34 of the I.P.C. and Sections 30(a), 38(i), 37(a) (b) (c) of
Bihar Prohibition & Excise Act-2016.

141 lts. of foreign liquor is said to have been
recovered from the house of Irshad and he was arrested who
disclosed the name of the petitioner in the occurrence.

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 place of recovery. He has



been falsely implicated in the case by the said Irshad due to animosity. He was not apprehended at the spot. Though, two more cases under Excise Act have been lodged against the petitioner, but he is on bail in the said cases. He has been languishing in custody since 16.02.2018. Said Irshad has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 17.02.2018 passed in Cr. Misc. no. 9512 of 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. Session Judge-II-cum-Special Judge, Araria in connection with Jokihat P.S. Case no. 365 of 2017.

(Prakash Chandra Jaiswal, J)

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