

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9244 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -BASANTPUR District- SIWAN

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1. Tuntun Sah @ Tuntun Prasad S/o Late Salik Sah, R/o Village- Karahi
Khurd , P.S.- Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Navin Kumar Pandey

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

ORAL ORDER

02 17-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Basantpur P.S. Case No.
189 of 2017 registered under Section 272, 273 & 308 of the Indian
Penal Code and Section 30 of the Bihar Prohibition and Excise
Act, 2016.

303.72 liters of foreign liquor is said to have been
recovered from the bush located in the field of the petitioner.

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 was not
arrested on spot. The field of the petitioner is accessible to anyone
as it is open. He has been falsely implicated in this case due to



dirty village politics. He has no concern with the seized liquor. Though two more cases have been lodged against the petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 16.11.2017.

In the facts and circumstances of the case, 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-2nd, Siwan in connection with Basantpur P.S. Case No.189 of 2017, G.R. No.2777/2017.

(Prakash Chandra Jaiswal, J)

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