

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35205 of 2018

Arising Out of PS. Case No.-336 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

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Tunna Sah @ Tuna Sah Son of Mahesh Sah Resident of Village - Santu
Nagar, Ward No. 2, Police Station and District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ramchandra Sahani

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

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with
Madhubani (Town) P.S. Case No. 336 of 2017 registered under
Sections 272, 273 of the Indian Penal Code, Section 30(a) of
Bihar Prohibition and Excise Act-2016 and Sections 20, 22 of
N.D.P.S. Act.

8.100 lts. of country made liquor and 2 Kg. Ganja
are said to have been recovered from *Baranda* of the rented
house of the informant and as per the informant, the said articles
have been kept there by the petitioner and co-accused, namely,
Munna Ram.

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 articles or with the place of recovery. Informant happens to be brother-in-law of the petitioner. As a matter of fact, the informant and co-accused Munna Ram are involved in bootlegging and had also gone to jail and on persuasion of petitioner to leave the aforesaid illegal activity, the informant has falsely implicated the petitioner in this case. Petitioner was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 11.05.2018.

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 Sessions Judge, Madhubani in connection with Madhubani (Town) P.S. Case No. 336 of 2017.

(Prakash Chandra Jaiswal, J)

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