

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45185 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -MADHWAPUR District- MADHUBANI

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Rakesh Roy, son of Anant Rai, resident of village Balaha, P.S.
Madhawapur, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Md. Anzarul Haque Sahara

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

02 25-07-2018 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 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

72 liters of Nepali liquor is said to have been recovered by the police allegedly dumped by the petitioner who managed to escape seeing the police party.

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 with the seized liquor. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. The identity and genuineness of the source of information is not



mentioned in the written report. Though two more cases under the Excise Act have been lodged against the petitioner but he is on bail in the aforesaid cases. He has been languishing in custody since 25.05.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Madhawapur P.S. Case No.86 of 2018.

(Prakash Chandra Jaiswal, J)

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