

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49193 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -GUTHNI District- SIWAN

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Ibrahim Sai S/o Nasaruddin Sai R/o Village - Mirzapur, P.S. -
Raghunathpur, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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

ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Sections 30(a), 27(b), 38(a) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

32.400 litres of country made liquor is said to have
been recovered from the place of occurrence along with damage
motorcycle and the petitioner and one other accused consuming
liquor were found unconscious at the aforesaid place.

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. As a matter of fact, the petitioner fell senseless sustaining injury in the motorcycle accident and was lying at the place of occurrence and he was rushed to the hospital by the police. He had never consumer any liquor. He happens to be teetotaller. Though three more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 20.04.2018.

Considering the facts aforesaid, 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 2nd Additional Sessions Judge cum Special Judge, Siwan in connection with Guthani P.S. Case No. 99 of 2018.

(Prakash Chandra Jaiswal, J)

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