

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50374 of 2018

Arising Out of PS.Case No. -256 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN (MOTIHARI)

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Deo Narayan, Son of Late Jitu Rai, resident of village – Kharjhakhiya, P.S.-
Ghorasahan, District – East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

26.700 litres of Nepali saufi wine is said to have
been recovered from the possession 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 has no concern
with the seized liquor. He has been falsely implicated in the case
by the personnel of Excise department merely on suspicion while
he was passing through the place of occurrence at the time of



occurrence and real culprit managed to escape dumping the aforesaid liquor there. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 30.05.2018.

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 Special Judge, Excise, East Champaran, Motihari in connection with Excise Case No. 256 of 2018.

(Prakash Chandra Jaiswal, J)

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