

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49315 of 2018

Arising Out of PS.Case No. -107 Year- 2018 Thana -PIYAR District- MUZAFFARPUR

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Sudhanshu Kumar @ Moti, son of late Ramlalit Singh, resident of village
Sundarpur Rartware, Police Station Piar (Hatha O.P.), Dist- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Rajendra Nath Jha

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

02 10-08-2018 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 Sections 30 (A), 35 (A), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

40.440 liters of foreign liquor is said to have been recovered from the pile of dung in the 'Bathan' of Manish Kumar.

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 either with the seized liquor or the place of recovery. The place of recovery is an open place and easily accessible to anyone. He was



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not apprehended on the spot. The identity and genuineness of the source of information is not mentioned in the self-statement of the informant. Though three 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 19.07.2018.

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 Special Judge Excise, Muzaffarpur in connection with Piar P.S. Case No. 107 of 2018.

(Prakash Chandra Jaiswal, J)

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