

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53244 of 2018

Arising Out of PS.Case No. -330 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN (MOTIHARI)

=====

Ramnath Sah son of Late Babulal Sah, resident of Village- Barwa Khurd,
P.S.- Kundwachainpur, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 29-08-2018

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 Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

51 litres of Nepali saufi wine is said to have been
recovered from the cycle of the petitioner and petitioner was
apprehended.

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
by the personnel of Excise Department merely on suspicion while



he was passing through the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid liquor there seeing the them. There is violation of Section 100 Cr.P.C. Though one more criminal case under the Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 21.07.2018.

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 at Motihari, East Champaran in connection with Excise Case No. 330 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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