

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12842 of 2018

Arising Out of PS.Case No. -422 Year- 2017 Thana -BARHARIA District- SIWAN

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Dharmnath Prasad, S/o Laxmi Bhagat, R/o Village- Siyari Khurd, P.S.-
Barharai, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

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

ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Barharia P.S. Case No.
422 of 2017 registered under Sections 272, 273 and 308 of the
Indian Penal Code and Sections 35(A), 35(B), 36 and 41(i) of the
Bihar Prohibition and Excise Act, 2016.

129.900 litres of foreign liquor is said to have been
recovered from the room and poultry farm of the accused Rajnish
Prasad @ Badmas and the petitioner and other accused persons are
said to be supplier of the said liquor.

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 place of occurrence or with the seized liquor. He has been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 17.12.2017.

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 Additional District and Sessions Judge-II, Siwan in connection with Barharia P.S. Case No. 422 of 2017.

(Prakash Chandra Jaiswal, J)

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