

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25365 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -KANHAULI District- SITAMARHI

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Anil Kumar S/o Shivjee Singh, R/o Vill.- Bariyarpur, P.S. + District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 02-05-2018 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 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

144 litres of Nepali saufi wine is said to have been recovered from the Sumo vehicle and the petitioner was apprehended while two other accused persons managed to escape alighting from the said vehicle.

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 with the vehicle in question. He happens to be simple commuter of the vehicle and had no knowledge of keeping of the aforesaid liquor by its driver who managed to escape seeing the police party. He has no criminal antecedent. He has been languishing in custody since 25.02.2018.

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 Addl. District Judge-II cum Special Judge, Excise Act, Sitamarhi in connection with Kanhauli P.S. Case No. 20 of 2018.

(Prakash Chandra Jaiswal, J)

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