

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46324 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Kashi Bind @ Kashi Prasad Son of Sukat Bind Resident of Village -
Dihiya, P.S. G.B. Nagar, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party : Mrs. Nirmala Kumari, A.P.P.- 167

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

ORAL ORDER

2 01-08-2018 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 and 308 of the Indian Penal Code and Sections 30, 34, 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

10 liters of country made liquor, gas cylinder and utensils meant for brewing the liquor are said to have been recovered from the Chaur and petitioner and three other accused persons who were engaged in brewing the liquor managed to escape.

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 article or the place of recovery or any activity of



brewing of liquor. He has been falsely implicated in this case merely on suspicion while he had gone to attend the call of nature there. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 13.05.2018.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with G.B. Nagar P.S. Case No. 136 of 2018.

(Prakash Chandra Jaiswal, J)

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