

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47317 of 2018

Arising Out of PS.Case No. -347 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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1. Jagdish Sahni son of Shiv Narayan Sahni, resident of Village-
Narkatiyaganj, Ward No. 11, P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. 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 : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 03-08-2018 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.

255 liters of Nepali Saufi Wine is said to have been
recovered by the Commandant of SSB being carried by eight
accused persons, out of that 18 liters Nepali Saufi Wine was
recovered from the possession of the petitioner and all the accused
persons barring petitioner 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 with the seized liquor. He has been falsely implicated in this case by the personnel of SSB merely on suspicion while he was passing through the place of occurrence at the time of occurrence and the real culprit managed to escape dumping the aforesaid liquor there seeing personnel of SSB. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 25.06.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Sitamarhi in connection with Complaint Case No. C2-347 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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