

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48742 of 2018

Arising Out of PS.Case No. -245 Year- 2018 Thana -SARAIYA District- MUZAFFARPUR

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Mukesh Rai, S/o Late Ramdeo Rai, resident of Village- Basantpur Patti,
P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273 of the Indian Penal
Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and
Excise Act, 2016.

144 litres of foreign liquor is said to have been
recovered from the room of the house of the petitioner and the
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. The room from where the said liquor is said



to have been recovered has been let out by him to one Raja Rai and the petitioner had no knowledge of keeping of the liquor in the said room by the aforesaid tenant. He has been falsely implicated in the case merely because he happens to be owner of the said house. He has no criminal antecedent. He has been languishing in custody since 14.07.2018.

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, Muzaffarpur in connection with Saraiya P.S. Case No. 245 of 2018.

(Prakash Chandra Jaiswal, J)

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