

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49236 of 2018

Arising Out of PS.Case No. -135 Year- 2018 Thana -TAJPUR District- SAMASTIPUR

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Annu Pouddar S/o Raj Kumar Pouddar, R/o Vill.- Bherokhara, P.S.- Tajpur,
District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Smt Sangeeta Sharma

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

ORAL ORDER

2 10-08-2018 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) and 38(1)(2) of the Bihar Prohibition and
Excise Act, 2016.

21.750 litres of foreign liquor is said to have been
recovered from the banana orchard of Ram Kumar Poddar and
from the land of Amarjeet Poddar kept there by the petitioner and
other accused persons.

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 place of recovery. He has been falsely implicated in the case at the instance of his enemies. Identity and genuineness of the source of information has not been mentioned in the self statement of the informant. He was not apprehended on the spot. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 14.06.2018.

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. Sessions Judge-VI cum Special Judge, Samastipur in connection with Tajpur P.S. Case No. 135 of 2018.

(Prakash Chandra Jaiswal, J)

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