

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46207 of 2018

Arising Out of PS. Case No.-266 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Shanker Sah @ Vikash Kumar @ Shanker Mahto S/o Vinod Sah @ Indal
Mahto, R/o Vill.- Sirsiya Bazar, Ward No. 5, P.S.- Bela, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Case no.
C2-266 of 2018 registered under Section 30(a) of Bihar
Prohibition and Excise Act-2016.

45 lts. of Nepali Saufi wine is said to have been
recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from 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 Excise Department merely on suspicion while
he was passing through the place of occurrence at the time of



occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing them. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 08.05.2018.

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 A.D.J.-II-cum-Special Judge, Excise, Sitamarhi in connection with Case no. C2-266 of 2018.

(Prakash Chandra Jaiswal, J)

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