

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46378 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- GUTHNI District- Siwan

Nashruddin Ali @ Md. Nashruddin Ali S/o Nabi Hasan, R/o Vill.-
Shankarpur, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Arun Kumar Singh -5

**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
Guthani P.S. Case No. 42 of 2018 registered for the offence
punishable under Sections 272 and 273/34 of the Indian Penal
Code and Sections 30 (a), 38 (a) and 41 (1) of Bihar Prohibition
and Excise Act, 2016.

36 lts. of foreign liquor is said to have been
recovered from motorcycle of the petitioner and he was
apprehended.

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 by the police 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 the police party. Though one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 20.02.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Siwan in connection with Guthani P.S. Case No. 42 of 2018.

(Prakash Chandra Jaiswal, J)

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