

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49864 of 2018

Arising Out of PS.Case No. -139 Year- 2018 Thana -SALKHUA District- SAHARSA

=====

Nitish Bhagat, son of Devendra Prasad Bhagat, resident of village Teliya Hat, P.S. Salkhua (Banma Itahri O.P.), District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 13-08-2018 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.

750 milliliters of foreign liquor is said to have been recovered from the bag of the petitioner by informant Anukalp Yadav.

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 informant Anukalp Yadav due to previous animosity. He was not apprehended by the police rather by the informant. Though one



- 2 -

more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 20.06.2018.

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 Special Judge Excise Act, Saharsa in connection with Special Case No.338 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

