

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50224 of 2018

Arising Out of PS.Case No. -64 Year- 2018 Thana -GOVINDGANJ District- EASTCHAMPARAN
(MOTIHARI)

=====

Rama Shankar Sahani S/o Mahesh Sahani, R/o Vill.- Katdharwa, P.S.-
Yadopur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anshu Dhar Sharma, Adv.

For the Opposite Party : Mr. Santanu Kumar, APP.

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

ORAL ORDER

02 14-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner seeks permission and is
granted permission to make correction in the name of the learned
Court below in course of the day.

The petitioner seeks bail in a case registered for the offence
punishable under Sections 272 & 273/34 of the Indian Penal Code
and Sections 30 (a), 33 and 36 of the Bihar Wine Prohibition and
Excise Act, 2016.

575.86 liters of foreign liquor is said to have been
recovered from the bank of the river and petitioner who said to be
present there in the watch of the said liquor was apprehended.

It is submitted by learned counsel for the petitioner that no



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incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery. The place of recovery is an open place and easily accessible to anyone. He has been falsely implicated in this case by the police merely on suspicion while he was grazing his buffaloes at the place of occurrence without knowledge of keeping of the said liquor and the real culprit managed to escape dumping the aforesaid liquor there seeing the police personnel. He has no criminal antecedent and has been languishing in custody since 26.03.2018.

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 Additional District Judge-VII-cum-Special Judge Excise, East Champaran, Motihari in connection with Govindganj (Malahi) P.S. Case No.64 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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