

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50729 of 2018

Arising Out of PS.Case No. -293 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN (MOTIHARI)

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Panchu Sahani @ Pachchu Sahani son of Sri Swarup Sahani, resident of
Village- Bhatha, P.S.- Mufasil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Nand Kumar

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

2 18-08-2018 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.

57 litres of Nepali saufi wine is said to have been
recovered from the cycle of the petitioner and the petitioner was
apprehended.

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 personnel of Excise Department merely on suspicion while he was passing through the place of occurrence at the time of occurrence. The real culprit managed to escape dumping the aforesaid liquor there seeing them. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 27.06.2018.

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 Special Judge, Excise, East Champaran, Motihari in connection with Excise Case No. 293 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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