

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24548 of 2018

Arising Out of PS.Case No. -159 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Raja Ram @ Raja Babu @ Raja Ram Mahto S/o Ram Swarth Mahto, R/o
Vill.- Boriya Dih , P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 30-04-2018

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 272/273 of the Indian Penal
Code and Section 30(a)/47 of the Bihar Prohibition and Excise
Act, 2016.

1878.51 liters of wine is said to have been
recovered from the house of accused Lal Babu Singh and name of
the petitioner has surfaced in the case on the basis of disclosure
made by Lal Babu Singh.

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 been



falsely implicated in this case. He has no concern either with the seized liquor or the place of recovery. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the said Lal Babu Singh. He has no criminal antecedent and has been languishing in custody since 15.11.2017. The aforesaid Lal Babu Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.62751 of 2017 vide order dated 12.01.2018.

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 Sessions Judge-VI-cum-Special Judge Excise Act, Samastipur in connection with Bibhutipur P.S. Case No.159 of 2017.

(Prakash Chandra Jaiswal, J.)

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