

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35060 of 2018

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Ramesh Nut @ Jakai Nut, S/o Late Hasan Nut, Resident of Village-
Bajhiya, Netuapatti, P.S.- Kotwa (Bhopatpur O.P.), District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 22-06-2018 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 Sections 272 and 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

29.400 litres of country made liquor is said to have
been recovered from the cycle of the petitioner and the petitioner
was apprehended in the course of escaping dumping the aforesaid
cycle.

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



either with the seized liquor or with the cycle in question. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprit managed to escape seeing the police party dumping the aforesaid liquor there. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 05.05.2018.

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 Addl. Sessions Judge-IV cum Special Judge, Excise Act, East Champaran, Motihari in connection with Kotwa (Bhopatpur O.P.) P.S. Case No. 79 of 2018.

(Prakash Chandra Jaiswal, J)

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