

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48292 of 2018

Arising Out of PS.Case No. -254 Year- 2018 Thana -DUMRA District- SITAMARHI

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1. Guddu Nat Son of Nantun Nat Resident of Village- Parmanandpur,
Police Station- Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 08-08-2018 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 Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

55.500 liters of foreign liquor is said to have been recovered from the public toilet which is said to be kept there by the petitioner and co-accused Lalan Rai and they were 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 either with the seized liquor or the place of recovery. Place of recovery is



public place and is easily accessible to public at large. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended from the place of occurrence rather from the market. The seizure list does not bear the signature of the petitioner. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 07.07.2018.

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 A.D.J.-II -cum- Special Judge Excise Act, Sitamarhi in connection with Dumra P.S. Case No. 254 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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