

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19339 of 2018

Arising Out of PS.Case No. -100 Year- 2017 Thana -SONBERSA District- SAHARSA

=====

Md. Natai @ Md. Amir Son of Md. Domi Resident of Village- Simraha,
P.S. Saharsa Sadar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Kumar Virendra Narayan

=====

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

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

135 litres of foreign liquor is said to have been
recovered from Sumo Victa Car and its driver, namely, Md.
Anshul was apprehended while three other persons managed to
escape alighting from the vehicle. The said driver disclosed the
name of the petitioner as one of his fleeing accomplices.

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 vehicle in question. He was not apprehended on the spot. He has been falsely implicated in the case by Md. Anshul due to animosity. 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 16.01.2018. Co-accused, namely, Md. Ansul has been enlarged on bail by a co-ordinate bench of this court vide order dated 30.01.2018 passed in Cr. Misc. No. 3439 of 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 Act, Saharsa in connection with Special (Excise) Case No. 287 of 2017 arising out of Sonbarsa P.S. Case No. 100 of 2017.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

