

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50575 of 2018

Arising Out of PS.Case No. -124 Year- 2018 Thana -BOCHHA District- MUZAFFARPUR

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Schidanand Kumar @ Sajstanand Rai @ Sachchidanand Kumar @
Sajastand Rai, S/o. Shambhu Rai @ Shambhu Prasad Yadav, R/o. Village-
Zero Mile (Maripur), Police Station- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 16-08-2018

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 and 273 of the Indian Penal
Code and Sections 30(a), 32(ii) and 38(ii) of the Bihar Prohibition
and Excise Act, 2016.

1572 litres of foreign liquor is said to have been
recovered from the two Pick Vans and a truck and two persons,
namely Surendra Ram and Manoj Sah were apprehended who
disclosed that the said liquor has been brought by four accused
persons including the petitioner for vending.

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 vehicles in question or any trade of liquor. He has been falsely implicated in the case by the apprehended accused persons due to animosity. Barring the aforesaid disclosure of he apprehended accused there is nothing on record to indicate the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though three more criminal cases under the Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 14.07.2018.

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, Muzaffarpur in connection with Bochahan P.S. Case No. 124 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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