

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5374 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- DHANHA District- West Champaran

Bitu Kushwaha @ Vittu Kushwaha s/o Late Ganesh Kushwaha Resident of
Village -Prorhi, P.S.- Barwa, District- Kushinagar U.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with Dhanha PS case no. 183 of 2018 registered for the offence punishable under Sections 272, 273 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 80 liters of illicit liquor from a car after the same was apprehended by the police and the petitioner is said to have been caught from the spot.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is stated in paragraph no. 7 of the bail petition that the petitioner is neither the owner nor the driver of the said car. It is further



submitted that the petitioner is having a clean antecedent and he is languishing in custody since 14.09.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah (West Champaran) in connection with Dhanha PS case no. 183 of 2018.

(Mohit Kumar Shah, J)

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