

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26728 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- JALE District- Darbhanga

Raju Kumar Sah Son of Arun Sah Both are resident of village-Nagardih (Jalley West), Police Station-Jalley and District-Darbhanga.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 24-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 272, 273 & 34 of the Indian Penal Code and Section 30 (a) and 37 (a) of the Bihar Prohibition and Excise Act, 2016.

1.470 liters of foreign liquor is said to have been recovered from the tea shop and hut of the of Arun Sah, the father of the petitioner.

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 any trade of liquor. He has been falsely



implicated in this case by the police as he is son of Arun Sah from whose tea shop the said illicit liquor has been allegedly recovered. He has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V-cum-Special Judge (Excise Act), Darbhanga in connection with Jalley P.S. Case No. 06 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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