

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33299 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- NAANPUR District- Sitamarhi

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Anil Kumar Son of Hari Kishore Bhagar Resident of Village - Nanpur Jirat
Tola, P.S.- Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

For the Opposite Party/s : Mr. Sucheta Yadav

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

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Nanpur
P.S. Case No. 94 of 2019 registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and Sections
30(a), 38 of Bihar Prohibition and Excise Act-2016.

Petitioner was apprehended in Nanpur P.S. Case
No. 92 of 2019 and on the basis of his confessional statement,
19.55 lts. of foreign liquor is said to have been recovered from
the open field of Nathuni Mahto.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner has no concern



with the seized liquor. He has been falsely implicated in this case. He has not made any confessional statement and nothing has been recovered on the basis of his confessional statement. There is no compliance of Section 100 Cr.P.C. Petitioner has been languishing in custody since 23.03.2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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 Nanpur P.S. Case No. 94 of 2019.

(Prakash Chandra Jaiswal, J)

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