

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33308 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- BASANTPUR District- Siwan

Uday Ram @ Udai Ram Son of Karma Ram Resident of Village -
Babhanauli, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

**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
Basantpur P.S. Case No. 73 of 2019 registered for the offence
punishable under Sections 272, 273, 308/34 of the Indian Penal
Code and Sections 30(a), 38 and 41 of Bihar Prohibition &
Excise Act-2016.

1200 lts. of foreign liquor is said to have been
recovered from the house of Tufani Yadav and 52 lts. of foreign
liquor from the house of Vijay Singh which was supplied by one
Dipak Kumar and as per the account of Tufani Yadav, petitioner
was purchaser of the liquor and he was apprehended from the
place of occurrence.



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 either with the seized liquor or with the place of recovery or with any trade of liquor. He has been falsely implicated in this case by Tufani Yadav while he had paid visit to his house to meet him. Petitioner has no criminal antecedent and has been languishing in custody since 14.03.2019.

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 Addl. Sessions Judge-II-cumSpecial Judge Excise, Siwan in connection with Basantpur P.S. Case No. 73 of 2019.

(Prakash Chandra Jaiswal, J)

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