

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33324 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- MASHRAK District- Saran

SUBHASH KUMAR @ SUDHU SAH Son of PradipSah @ Theha Resident
of Village - Dumarson, P.S.- Masrakh, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh
For the Opposite Party/s : Mr. Bishweshwar Ram

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

ORAL ORDER

2 21-05-2019 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 Section 30, 30(a) & 47 of the Bihar Prohibition
and Excise Act, 2016.

50 liters of country made liquor is said to have been
recovered from the possession of the Shankar Mahto while other
accused managed to escape and as per account of the
apprehended accused he had purchased the aforesaid liquor
from 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 the case by the apprehended accused due to animosity. He has been languishing in custody since 22.04.2019. Shankar Mahto has been enlarged on bail by the learned lower Court.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IX-cum-Special Judge, Saran at Chapra in connection with Masrakh P.S. Case No.42 of 2019.

(Prakash Chandra Jaiswal, J.)

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