

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33821 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- FATEHPUR District- Gaya

POKHRAJ TURIA Son of Govardhan Turia Resident of Village- Harakurha,
P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272, 273 of the Indian Penal
Code and Section 30 (a) of Bihar Prohibition and Excise Act,
2016.

30 liters of country made liquor is said to have been
recovered from the motorcycle of the petitioner and petitioner
was apprehended.

It is submitted by the learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has been
falsely implicated in this case at the instance of his enemy by



planting aforesaid recovery from his possession. He has no concern either with the seized liquor or any trade of liquor. There is violation of Section 100 Cr.P.C.. He has no criminal antecedent. He has been languishing in judicial custody since 20.03.2019.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Gaya in connection with Fatehpur P.S. Case No. 76 of 2019.

(Prakash Chandra Jaiswal, J)

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