

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45281 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- TURKAULIYA District- East
Champaran

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Manoj Sah Son of Kapildev Sah, R/O - Khadava, P.S.- Banjariya, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-07-2019 Heard both sides.

The petitioner apprehends his arrest in Turkauliya (Raghunathpur) P.S. Case No.183 of 2019 registered under Sections 272, 273 and 34 of the Indian Penal Code and under section 30(a) of the Bihar Prohibition and Excise Act.

The informant alleged that he got information that Manoj Sah (petitioner) was bringing liquor on his motorcycle. The informant went to Katiya Ghat to verify the information where he saw two persons coming from a motorcycle but seeing the police, the motorcyclists managed to flee away after throwing tubes containing 60 litres of country made liquor. The informant further alleged that the villagers disclosed the name of petitioner as the person, who was driving the motorcycle.



Learned counsel for the petitioner submits that the petitioner has wrongly been implicated in this case and the petitioner has got no criminal antecedent. This is the first case in which the petitioner has been implicated and that too without any cogent evidence. Nothing has been recovered from conscious or constructive possession of the petitioner.

Having considered the facts aforesaid and the fact that the petitioner has got no criminal antecedent and nothing has been recovered from possession of the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned 9th A.D.J.-cum-Special Judge, Excise, East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No.183 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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