

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83050 of 2019

Arising Out of PS. Case No.-235 Year-2019 Thana- BRAHMPUR District- Buxar

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KARIYA SAH @ MANOJ SAH S/o Late Saral Sah Resident of Village-
Chakki Laxaman Dera, P.S.- Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Ram Bachan Singh

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

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

316 litres of foreign liquor is said to have been
recovered from the ditch located towards North of the house of
Chhabila Yadav, which is said to have been unloaded there by
the six named accused persons including the petitioner who
managed to escape but were identified by the Chaukidar during
the course of escaping.

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 place of recovery or any trade of liquor. Place of recovery is open place and is easily accessible to all. He was not apprehended on the spot. He has been falsely implicated in the case by the Chaukidar due to animosity. He has no criminal antecedent and has been languishing in custody since 03.10.2019.

Considering the facts aforesaid, 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 Addl. Sessions Judge-II cum Special Judge, Excise Act, Buxar in connection with Brahmpur (Chakki O.P.) P.S. Case No. 235/2019.

(Prakash Chandra Jaiswal, J)

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