

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83002 of 2019

Arising Out of PS. Case No.-626 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Wakil Choubey, son of Gaurishankar Chaubey, resident of Village - Tamarh,
P.S.- Sonhan, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

1.980 liters of foreign liquor is said to have been recovered from the cowshed situated in front of the house of 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. The place of recovery is an open place and easily accessible to



anyone. He has been falsely implicated in the case at the instance of his enemy by planting the aforesaid recovery in the cowshed. There is violation of Section 100 Cr.P.C. No offence under Excise Act has been made out against the petitioner. He has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Judge Excise, Kaimur at Bhabua in connection with Bhabhua (Sonhan) P.S. Case No.626 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

