

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52324 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -AURAI District- MUZAFFARPUR

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Sanjay Kumar Gupta, Son of Shri Paltan Sah, Resident of village and P.O.
Rajkhand, P.S. Aurai, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since

26.09.2016 in connection with Aurai P.S. Case No. 51/16 for

offences punishable under Sections 47(A), 54, 57, 63 of the Bihar

Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the police, is

that on secret information they searched the market place of one

Shyam Sunder Rai and confiscated 168 litres of foreign liquor.

The petitioner and one another were apprehended by the police.

It has been submitted by the learned counsel for

the petitioner that he is innocent, has no criminal history and is

running an electronic shop in the market place taken on rent from



one Ajit Kumar Shahi. It is submitted that nothing has been recovered from the conscious possession of the petitioner and other co-accused apprehended along with the petitioner i.e. Rajeev Kumar Shahi has since been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 32634 of 2016 on 28.10.2016.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since other co-accused on similar allegation has been granted the privilege of bail, let petitioner, above named, be also 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 Sri Sunil Kumar Tripathy, learned Judicial Magistrate 1st Class, Muzaffarpur, in connection with Aurai P.S. Case No. 51/16.

(Nilu Agrawal, J.)

Rajesh/-

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