

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54672 of 2016

Arising Out of PS.Case No. -341 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Pappu Kumar @ Pappu Patel, S/o late Shankar Singh @ late Shankar
Mahto resident of Mohalla- Rambagh, P.S.- Mithanpura, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
03.11.2016 in connection with Excise Case No. 341/16 registered
for the offences punishable under Sections 30(A)/36/38 of the
Excise Act, 2016.

The prosecution case, as lodged by the excise
officials, is that during course of checking they recovered 19.6
litres of country-made wine from the bag hung on the bicycle of
the petitioner. Petitioner was apprehended and seizure-list was
prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and nothing has been recovered from the conscious possession of the petitioner. It is submitted that the said bicycle belongs to one Md. Javed.

However, learned A.P.P. 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 the petitioner has no criminal history, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Excise Case No. 341/16.

(Nilu Agrawal, J.)

Rajesh/-

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