

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52992 of 2016

Arising Out of PS.Case No. -233 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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Sunil Kumar Rai @ Sunil Kumar, S/o Rambabu Rai, Resident of Village-
Parsa, P.S. Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.08.2016 in connection with Complaint Case No. C2/233/16
registered for the offence punishable under Section 47(a) of the
Bihar Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the excise
officials, is that petitioner and one another were apprehended
carrying 54.180 litres of Nepali Saufi wine nearly 100 meters
towards Indo-Nepal border.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has no criminal history and has



committed no offence. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report and has been apprehended carrying with 54.180 litres of Nepali Saufi wine, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and the submissions of the parties, since charge sheet has already been submitted, 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, Sitamarhi, in connection with Complaint Case No. C2/233/16.

(Nilu Agrawal, J.)

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