

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37241 of 2016

Arising Out of PS.Case No. -322 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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1. KAUSHAL SINGH @ KAUSHAL KUMAR, Son of Naresh Singh,
resident of Village- Katghara, P.S.- Sitamarhi, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 21-09-2016

Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of G. O. Case No. 322 of 2016, disclosing
offences under Section 47 (a) of the Bihar Excise
Amendment Act, 2016.

From a Line Hotel, the Excise Officials recovered
06 (six) bottles, each containing 375 ML of foreign liquor,
and 03 (three) bottles, each containing 180 ML of foreign
liquor. Thus, a total of 2.79 litres of foreign liquor, was
recovered from the said Line Hotel. The petitioner was not
present when the seizure was conducted.

Learned Counsel for the petitioner has
submitted that he has been implicated mainly on the
ground that he runs a hotel. Referring to the prosecution
report, learned Counsel for the petitioner has submitted
that co-accused Prem Singh has been shown to be the main

accused and co-accused Bipin Kumar has been referred to as Cook in the said hotel. It has also been submitted that the petitioner has nothing to do in the said Line Hotel and he has been implicated for ulterior reasons.

Considering the above submissions, this application is allowed.

Let the petitioner, Kaushal Singh @ Kaushal Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with G. O. Case No. 322 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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