

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51283 of 2016

Arising Out of PS.Case No. -225 Year- 2016 Thana -RAJAULI District- NAWADA

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1. Rajesh Kumar Son of Ramprit Prasad Resident of Village-Lakshmanpur,
Police Station-Bakhtiyarpur, District-patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-11-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in judicial custody since 08/09/2016 for the offence alleged under Section 47(A) of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the police, on secret information, conducted raid in Rajouli Bye- pass in N.H. 35 road and apprehended three persons including this petitioner in a car and found 45 liters of foreign liquor from the car.

Learned counsel for the petitioner submits that he is neither the driver nor the owner of the vehicle and was just a passenger. He further submits that nothing has been recovered from the conscious possession of the petitioner and that the

petitioner has no criminal antecedent. He further submits that another apprehended co-accused has been granted privilege of bail by a co-ordinate bench of this Court in Cr. Misc.No. 50695 of 2016, dated 23.11.2016 on similar allegation.

Learned counsel for the State submits that the petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, other co-accused on similar allegation has been granted privilege of bail, let above named petitioner be 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 learned C.J.M., Nawada in Rajauli P.S.Case no. 225 of 2016.

(Nilu Agrawal, J)

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