

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14150 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -GAMAHARIYA District- MADHEPURA

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Deepak Kumar, Son of Chhotu Sahni, resident of village - Supaul, Police
Station - Supaul, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Smt. Pronati Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-04-2017

Heard both sides.

The petitioner seeks bail in Gamharia P.S. Case No.
15 of 2017 registered under Sections 419 and 420 of the Indian
Penal Code and 30(a) of the Bihar Excise (Amendment) Act, 2016

The petitioner is the driver of the vehicle bearing
registration number BR-50G-2969 and from the vehicle of the
petitioner, 48 bundles each containing 12 bottles of food products
were recovered. The bottles were sent to excise department for
examination and it is transpired that aforesaid bottles contain 0.9%
alcohol.

Learned counsel for the petitioner submits that the
recovered article is food product and the petitioner was simply



carrying the same. Even the beer contains 15 to 20% alcohol and the aforesaid bottles recovered from the possession of the petitioner contain only 0.9% alcohol. The petitioner is in jail since 06.02.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Sub-Judge-V, Madhepura in connection with Gamharia P.S. Case No. 15 of 2017.

(Prabhat Kumar Jha, J)

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