

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19688 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -BODHGAYA District- GAYA

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Rahul Kumar @ Tutu Kumar Son of Arun Prasad, Resident of Mohalla-
Narain Nagar, P.S. Mofassil, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Syed Ehteshamuddin, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-05-2017

Heard both sides.

The petitioner seeks bail in Bodh Gaya P.S. Case
No. 108 of 2017 registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The police intercepted an Indica Vehicle bearing
registration no. BR 2R 9960 and arrested Md. Jubair and the
petitioner. The petitioner was sitting by the side of Md. Jubair
who was the driver of the vehicle.

Learned counsel for the petitioner submits that the
petitioner is nowhere concerned with the consignment. The
owner of the car is Bablu Gupta. From perusal of the seizure list,
it would appear that the seizure was made from a road situated
near the petrol pump. It appears that the car was parked near the



petrol pump and from the vehicle 972 pouches each containing 200 ML i.e. 194.4 liters country made liquor were recovered from the car. It appears that the petitioner was also accompanying the driver of the vehicle and he disclosed that the country made liquor is of Md. Shamim. The petitioner has remained in jail for more than 1½ months.

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 Special Excise Judge, Gaya in connection with Bodh Gaya P.S. Case No. 108 of 2017.

(Prabhat Kumar Jha, J)

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