

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9295 of 2017

Arising Out of PS.Case No. -357 Year- 2016 Thana -NAWADA District- NAWADA

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Suraj Kumar, Son of Om Prakash Gupta, Resident of Mohalla- Line Par,
Mirjapur, P.S.+District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 23-02-2017 Heard learned counsels for the petitioner and the

State.

The petitioner, who is in custody, seeks bail in connection with Nawada Town P.S.Case No. 357 of 2016 registered under Sections 47 and 54 of the Bihar Excise (Amendment) Act, 2016 and Sections 272 and 273 of the Indian Penal Code.

Allegation is that 415 bottles of illicit foreign liquor were recovered from a magic vehicle.

Submission is that the petitioner is the owner of the said vehicle and the alleged liquor was being transported by the driver of the vehicle without any knowledge of the petitioner, moreover, on the alleged date of recovery, the possession of the foreign liquor was not an offence and he placed reliance on a



decision of this Court in the case of ***Ram Sumir Sharma vs. The State of Bihar*** reported as ***2016(2) PLJR 919***. It is submitted that this petitioner has also got no any criminal antecedent and has been in custody in this case since 07.12.2016.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Suraj Kumar, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada in connection with Nawada Town P.S. Case No. 357 of 2016.

(Arun Kumar, J)

Sujit/-

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