

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23788 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
KHAGARIA

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Raj Kumar Sah, son of Anil Sah, Resident of Village- Hazipur, Ward No.
12, P.S. + District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
20.02.2017 in connection with Excise Case No. 41C3 of 2017
registered for the offence punishable under Section 30(a) of the
Bihar Excise (Amendment) Act.

The prosecution case, as lodged by the excise official,
is that the petitioner was found in possession of 54 litres of foreign
liquor and 29 litres of country made wine. Accordingly, seizure-
list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that the seizure-list witnesses are police officials and there is no independent witness, which is violation of Section 100 of the Cr.P.C. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Excise Case No. 41C3 of 2017 after completion of six months in custody.

(Nilu Agrawal, J.)

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