

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25979 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -GAMAHARIYA District- MADHEPURA

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1. Krishnadeo @ Krishna Gupta Son of Late Tribhuwan Gupta, Resident of Village- Suryaganj, Ward No. 17, P.S.- Gamharia, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-06-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 13.04.2017 in a case registered for offences punishable under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the police party during patrolling received secret information that the petitioner was engaged in bringing and selling of illegal liquor, accordingly his house was searched and from his house, 5 litres 760 mls of country made liquor was seized under the earth in a field and accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the



aforesaid case. He had given house on contract to a tenant and being on inimical term, the said illegal liquor has been implanted in the house and he has been made accused in four other cases.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case 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 learned Additional Chief Judicial Magistrate-IV, Madhepura in connection with Gamharia P.S.Case No. 46 of 2017, subject to the condition that the petitioner will file an affidavit stating that in future if he will indulge in similar offence, the learned Court below will proceed for cancellation of his bail bonds.

(Nilu Agrawal, J)

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