

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24983 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Arvind Kumar Jha S/o Chadrashekhar Jha R/o Village Shilaut, P.S. Muffasil, Distt - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-06-2017 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in Samastipur Town P.S. Case No.92 of 2017 for the offences punishable under Sections 30(A) and 37(D) of the Bihar Excise (Amendment) Act.

Accusation is of recovery of 6 litres and 390 ML of liquor from the possession of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case in the background of business rivalry. Moreover, no recovery has been made from the possession of the petitioner and during investigation except police party no independent witnesses have supported the prosecution version. The co-accused person has



already been granted bail by the learned court below and the petitioner is in custody since 14/04/2017. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Learned APP for the State opposes the prayer for bail.

Considering the small quantity of recovery, this petition for bail is allowed and the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **SDJM, Samastipur** in connection with **Samastipur Town P.S. Case No.92 of 2017.**

(S. Kumar, J)

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