

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45861 of 2017

Arising Out of PS. Case No.-357 Year-2017 Thana- AGAMKUAN District- Patna

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Bichi Chacha @ Buchi, aged about 46 years, Son of Late Rameshwar Saw,
Resident of Mohalla- Langar Toli, P.S.- Kadamkuan, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Dubey, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Rakesh Dubey, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Special Case No.5081/17 arising out of Kadamkuan P.S. Case No.357/2017 registered for the offence under Sections 30/38 of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that from the possession of the co-accused one bottle of Indian Make Foreign liquor was shown to be recovered, but he disclosed that he was going to sell the wine to the petitioner and only on that confession, the petitioner has been made accused. He further submits that it is true that the petitioner was earlier made accused in Kadamkuan P.S. Case No.480/2014, but fact remains



that the said case was instituted under Sections 379, 323, 341 of the Indian Penal Code and the petitioner was not made accused in any of the case under Excise Act.

Considering the fact that the petitioner's name has come on the basis of confessional statement of co-accused, let the petitioner, namely, Bichi Chacha @ Buchi, in the event of his arrest or surrender within six weeks from today, 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 the learned Special Judge, Excise, Patna in connection with Kadamkuan P.S. Case No.357/2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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