

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36632 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BELHAR District- BANKA

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Babu Lal Soren Son of Late Budhu Soren @ Thuthu Soren, R/o Village-
Chatrahan, P.S.- Belhar, District- Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 24-08-2017 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since 11.03.2017 in connection with Belhar P.S. Case No. 43 of 2017 for offences punishable under Sections 30/38 of Bihar Excise Amendment Act, 2016.

The prosecution case, as lodged by the police personnel, is that on information the house of the petitioner was raided and from the house the petitioner 12 litres of Mahua wine was recovered. 40 kg Mahua flower was also recovered from the motorcycle of one Shankar Murmu.

It has been submitted by the learned counsel for the petitioner that he is innocent, nothing has been recovered from his possession and he has no criminal antecedent. It is further submitted that Section 100 of the Cr. P. C. has not been complied as seizure list bears the P.S. Case number



although the raid was conducted out side the police station.

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

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 A.C.J.M. II, Banka in connection with Belhar P.S. Case No. 43 of 2017.

(Nilu Agrawal, J)

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