

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41394 of 2017

Arising Out of PS.Case No. -370 Year- 2017 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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Avinash Kumar @ Babloo, son of Kameshwar Singh, resident of Village
New Sidhauli, Prayag Bigha, P.S. Dalmiya Nagar, District Rohtas at
Sasaram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Bipin Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Dehri (T) P.S.
Case No. 370 of 2017 for offences punishable under Sections
30(a), 38(1), 41(i)(ii) of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police raiding
party, is that during checking one Scorpio car was intercepted and
two persons were apprehended. From the car 400 litres of country-
made illicit liquor was recovered. Petitioner was apprehended
from a motorcycle. Accordingly, a seizure-list was prepared.

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



accused apprehended from the Scorpio car have been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 33546 of 2017 on 20.07.2017 and Cr. Misc. No. 38935 of 2017 on 19.08.2017. He submits that nothing has been recovered from his conscious possession and that he is languishing in judicial custody since 29.05.2017.

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 Addl. Sessions Judge-II cum Special Court, Excise, Rohtas at Sasaram, in connection with Dehri (T) P.S. Case No. 370 of 2017, subject to the condition that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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