

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43715 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Shivamtullah @ Shivamtullah Mian Son of Hafiz Mian @ Hafiz Ansari,
Resident of Village-Dudhahi Madarasha Tola, Ward No. 13 Police Station
Harsidhi, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 The petitioner seeks regular bail in connection with

Harisidhi P.S. Case No. 247 of 2017, registered for offences

punishable under Sections 30(A) and 38(A) of the Bihar

Prohibition and Excise Act, 2016.

Allegation is of recovery of 635 litres of country made

liquor.

It has been submitted on behalf of the petitioner that he

has falsely been implicated in this case and nothing has been

recovered from his possession or from his house rather the

recovery has been made from *bathan* of co-accused of this case.

Further petitioner has no criminal antecedent and has been in

judicial custody since 25.06.2017.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court, Excise, Motihari, East Champaran, in connection with Harisidhi P.S. Case No. 247 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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