**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.55368 of 2017**

Arising Out of PS. Case No.-335 Year-2017 Thana- CHANDI District- Nalanda

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Bipin Kumar, S/o Binod Prasad, Resident of Village- Atwalchak, P.S.- Tharthari, District- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Sri Rajeev Kumar
For the Opposite Party/s : A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**

ORAL ORDER

2 17-11-2017 Heard Sri Rajeev Kumar, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 14-10-2017 has prayed for grant of bail in Chandi P.S. Case No. 335 of 2017, registered for the offence under Section 30(a), 38, 41 of the Bihar Prohibition And Excise Act , 2016.

It was submitted by learned counsel for the petitioner that on false accusation the petitioner has been arrested in the present case. He submits that it was falsely alleged that after seeing police party petitioner on cycle started fleeing away and thereafter, he was apprehended and from his possession about 20 liters of country made liquor was shown to be recovered. He submits that even seizure list was prepared in contravention of Section 100 of the Code of Criminal Procedure, 1973 . He has

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also drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation, clean antecedent of the petitioner as well as period of custody, let the petitioner Bipin Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand ) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VIII – cum – Special Judge, Excise, Nalanda, Biharsharif / concerned court in connection with Chandi P.S. Case No. 335 of 2017 .

**(Rakesh Kumar, J)**

praful/-

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