

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28343 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -LAHERI District- NALANDA
(BIHARSHARIFF)

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Ganga Chaodhary, S/o Late Hira Choudhary, R/o Vill- Katrapar, P.S.-
Bihar, Distt- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 13-07-2017 Heard Sri Amresh Kumar Sinha, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Laheri
P.S. Case No. 160 of 2017 registered for offence under Sections
30 & 41 of the Bihar Excise Amendment Act, 2016, has prayed
for grant of bail in the event of arrest or surrender.

At the very outset, it was submitted by learned
counsel for the petitioner that in this case, date of occurrence is
26-04-2017 when Bihar Prohibition and Excise Act, 2016 was
already implemented, however; the informant, who is none else
but the officer incharge, Laheri Police Station, has lodged F.I.R. as
if the offence was committed in relation to contravention of
provisions of Bihar Excise (Amendment) Prohibition Act, 2016.



It was submitted by learned counsel for the petitioner that besides irregularity in the F.I.R., the petitioner has been made accused on the basis of confessional statement of one of the co-accused Ravi Kumar. Except confessional statement, there is no material against the petitioner to connect him with the case.

Considering the material against the petitioner and nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Ganga Chaodhary 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. District & Sessions Judge-cum-Special excise Judge, Bihar Sharif, Nalanda in connection with Laheri P.S. Case No. 160 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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