

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37475 of 2017

Arising Out of PS. Case No.-156 Year-2017 Thana- PATLIPUTRA District- Patna

Subir Kumar Sahu @ Subir Sahu, Son of Rajendra Prasad Sah, resident of Flat No. 2/3, Gopala Block, P.O.+ P.S.- Johar Nagar, District- Jamshedpur (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 17-10-2017 Heard Sri Javed Aslam, learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Patliputra P.S. Case No. 156 of 2017 (Special Case No. 1709 of 2017) registered for the offence under Section 30(a) and 38(1), 37(क) (ख) (ग) of the Bihar Prohibition and Excise Act, 2016 has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that a raid was conducted in a public place i.e. N.R.I. Plaza where birthday party was going on and small quantity of Indian make foreign liquor and four glasses were recovered, and thereafter, F.I.R. was lodged against 22 named accused persons. Petitioner was not named in F.I.R., however subsequently his name has



come in the case. Learned counsel for the petitioner has also referred to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation, the fact that petitioner was not named in F.I.R. as well as clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Subir Kumar Sahu @ Subir Sahu 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 A.D.J. - cum – Special Judge Excise, Patna / concerned court in connection with Patliputra P.S. Case No. 156 of 2017 (Special Case No. 1709 of 2017) subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure , 1973 .

(Rakesh Kumar, J)

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