

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21613 of 2017

Arising Out of PS.Case No. -208 Year- 2016 Thana -SABOUR District- BHAGALPUR

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Nitish Kumar Singh @ Atarba @ Nitesh Kumar Singh, son of Pramod Singh @ Pramod Kumar Mandal, resident of Village- Khankitta, P.S.- Sabur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 06-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Sabour P.S. Case No. 208 of 2016 for the offence under section 188 of the Indian Penal Code and section 30 of the Bihar & Excise Amendment Act.

The name of the petitioner was disclosed by the driver of the auto bearing registration no. BR-10M-8516. During search 25 bottles of 375 Ml. of Royal Stag whisky, 26 bottles of Mcdowell no.1 and xxx rum of 180 ml. were recovered from the Tempo. The persons arrested by the police disclosed the name of this petitioner. They have stated that the seized wine belongs to this petitioner and they are courier working for the petitioner. The



petitioner states that he has not in any manner involved in the illegal business of wine.

Having regard to the fact that the persons arrested at the time of seizure of the wine were granted bail by the court below as stated in para-7, I am inclined to enlarge the petitioner named above 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 2nd Additional Sessions Judge-cum-Special Judge(Excise Act), Bhagalpur, in connection with Sabour P.S. Case No. 208 of 2016 (Corresponding to G.R. No. 4352/2016) on the condition that the petitioner will extend full cooperation in the trial and will not, in any manner, influence the evidence or the witnesses.

(Anil Kumar Upadhyay, J)

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