

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26014 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BELHAR District- BANKA

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Shankar Murmu Son of Late Basta Murmu, resident of Village- Chatrahan,
Post Phulhara, P.S. Belhar, District Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
12.03.2017 in connection with Belhar P.S. Case No. 43 of 2017
registered for the offence punishable under Sections 30 and 38 of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on a secret tip-off, house of one Babulal Soren
was searched and 14 litres of mahua wine was seized and the
petitioner was apprehended while carrying 40 Kgs. of mahua
flower on his motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and



nothing has been recovered from his conscious possession. The allegation is not of carrying illegal wine and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 43 of 2017.

(Nilu Agrawal, J.)

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