

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49597 of 2016

Arising Out of PS.Case No. -176 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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Rupesh Kumar @ Raja, son of late Ramesh Singh, r/o village- Alampur
Ward No. 14, P.S. - Vidyapati Nagar, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Makardhwaj Upadhyay, Advocate.

For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-01-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 47(a)/54 of the Bihar Excise (Amendment) Act, 2016.

It is alleged that 240 bottles of foreign liquor has been recovered from the vehicle driven by the petitioner. The petitioner is in custody since 27.9.2016.

From the written report, it appears that there is no specific allegation against the petitioner that he was indulging in sale and purchase of the aforesaid illicit liquor.

It has been submitted on behalf of the petitioner that the petitioner has not been involved earlier in such type of case.

Considering the facts and circumstances of the case,



let the petitioner above named, be released 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 Chief Judicial Magistrate, Lakhisarai, in connection with Barahiya P.S. Case No. 176 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner. The petitioner will also file an affidavit in the lower court that he will not indulge in such type of activity in future.

(Sanjay Priya, J)

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