

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7100 of 2017

Arising Out of PS.Case No. -699 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Rasgulla Sah @ Sandeep Kumar S/o Hiralal Sah Resident of Mohalla -
Quilla Mohalla, Ward No. 20, P.S. - Bettiah Town, District - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-03-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Bettiah Town P.S. Case
No. 699 of 2016 for the offence punishable under section 30 (A)
of the Bihar Excise Amendment Act, 2016.

Allegedly, during raid Laddu Kumar was apprehended
and from his house 16 bottles of Royal Stag Foreign Liquor each
containing 180 ml. was recovered kept below a bed in the house
and that Laddu Kumar disclosed that he had procured the illegal
liquor from the petitioner for sale.

Submission is of false implication and that the



petitioner was on inimical terms with the accused Laddu Kumar resulting he has given the name of the petitioner in the present case, nothing has been recovered from possession of the petitioner, only material against the petitioner is the confessional statement of co-accused, namely, Laddu Kumar made before the police and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that co-accused Laddu Kumar has taken the name of the petitioner and the petitioner has got fair antecedent as disclosed in paragraph-3 of the application.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Bettiah, West Champaran in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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