

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 46838 of 2017

Arising Out of PS. Case No.-295 Year-2017 Thana- Purnea Sadar District- Purnia

Badri Uraon, Son of Late Shiv Lal Uraon, Resident of Village- Rambagh,
P.S.- Sadar, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Amit Kumar Anand, learned counsel for the petitioner and Sri Pradeep Narain Kumar, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Special Excise Case No. 1550 of 2017 (arising out of Sadar P.S. Case No. 295 of 2017) registered for offence under Sections 272 & 273 of the Indian Penal Code and Sections 30(a) & 37(c) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

By way of referring to F.I.R. as well as seizure list, learned counsel for the petitioner submits that nothing has been indicated that from which place of the house of the petitioner, recovery of 5 liter of country-made liquor was shown. He submits that in the present case, it was shown that number of



house of the village of the petitioner was searched and case was instituted. He submits that nothing was recovered from conscious possession of the petitioner or from the house of the petitioner. This was the reason that in the seizure list or in the F.I.R., no detail has been given as to from which place recovery was effected. He further submits that petitioner is having clean antecedent, which fact has been mentioned in paragraph 3 of the petition.

Considering the facts and circumstances as well as clean antecedent of the petitioner, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Badri Uraon be enlarged 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, Purnea in connection with Special Excise Case No. 1550 of 2017 (arising out of Sadar P.S. Case No. 295 of 2017), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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