

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44069 of 2017

Arising Out of PS. Case No.-100 Year-2017 Thana- KALYANPUR District- Samastipur

Sudarshan Sharma, S/o Chandeshwar Sharma, R/o Village- Jitwariya, P.S.
Kalyanpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.
For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Bijay Bhushan Prasad, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Kalyanpur P.S. Case No.100/2017 registered for the offence under Sections 272 and 273 of the Indian Penal Code and Sections 30,38 of the Bihar Excise (Amendment) Act, 2016, has prayed for grant of bail, in the event his arrest or surrender.

It was submitted by learned counsel for the petitioner that it is a peculiar case, in which recovery of huge quantity of Indian Make Foreign liquor was shown from a field of one Shail Devi and instead of arraying Shail Devi as accused, the petitioner has been made accused on allegation that the petitioner is involved in illegal trade of liquor. Learned counsel for the petitioner has drawn my attention to the statement made



in paragraph-3 of the petition to show that the petitioner is having clean antecedent. He submits that only on secret information, the petitioner has been made accused.

Considering the fact that recovery of liquor was not shown from the conscious possession of the petitioner nor from the field or land of the petitioner as well as considering clean antecedent, let the petitioner, namely, Sudarshan Sharma, in the event of his arrest or surrender within six weeks from today, 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 Addl. Sessions Judge 6th, Samastipur in connection with Kalyanpur P.S. Case No.100/2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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