

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10619 of 2017

Arising Out of PS.Case No. -453 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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Subhash Sharma Son of Ganesh Sharma, Resident of Village- Raipur, P.S.
Bihpur (Bhawanipur), District- Bhagalpur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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

ORAL ORDER

2 21-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Bihpur
(Bhwanipur) P.S. Case No. 453 of 2016 registered for the offences
punishable under Sections 30 and 38 of Bihar Excise
(Amendment) Act, 2016.

Allegedly, from possession of the petitioner 31 bottles of
High Speed whisky each containing 750 ml. foreign liquor was
recovered.

Submission is of false implication and that nothing has been
recovered from conscious possession of the petitioner and without
any fault he is suffering in custody since 31.12.2016.

In the facts and circumstances stated above, considering
the period of detention, the petitioner above named is directed to
be released on bail on execution of bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Naugachia, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 453 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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