

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10086 of 2017

Arising Out of PS.Case No. -73 Year- 2016 Thana -ROUH District- NAWADA

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1. Shankar Kumar, S/O Badri Prasad, Resident of Village - Kujaila, P.S.-
Roh, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Roh P.S. Case No. 73 of 2016 registered for the offences
punishable under Sections 30(a), 41(1) of the Bihar Excise
Amendment Act, 2016.

This petitioner and one other while seeing the police
party started fleeing away with their vehicle and in course of
fleeing they dashed with a tree on account of which they
sustained injuries. The police party, however, seized 19 bags of
country made wine from the said vehicle.

Learned counsel for the petitioner submits that he is
in custody since 27.10.2016 having no criminal antecedent. The



seizure was made by the police party, but no independent witness has signed the seizure list. Learned counsel for the petitioner prays for bail.

Learned APP, on the other hand, opposed the submission of bail.

On perusal of seizure list, I find that the seizure was signed by the members of the police party itself. The petitioner has remained in custody for about five months.

Considering the period of custody of the petitioner as well as facts and circumstances stated above, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Additional Sessions Judge II, Nawada (Special Court) in connection with Roh P.S. Case No. 73 of 2016 (Sessions Trial No. 05 of 2017).

(Sanjay Kumar, J)

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