

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36052 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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1. Mainuddin @ Md. Mainuddin, S/o Sekh Wahid @ Shekh Ohid, R/o
Village- Ashogi, Wars No.02, P.S.- Bairagania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 06-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
05.05.2017 in connection with Case No. C-2 270/2017/ 116/2017
for offences punishable under Section 30(A) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise officials
along with police personnel, is that the petitioner was apprehended
by the patrolling party near Indo-Nepal border and from his
possession 33 litres of Nepali sophy wine was recovered.
Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 ADJ-II cum Special Judge, Excise Act, Sitamarhi, in connection with Case No. C-2 270/2017/ 116/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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