

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56367 of 2017

Arising Out of PS. Case No.-973 Year-2017 Thana- SAHARSA District- Saharsa

Rahul Kumar, son of Late Rajendra Das, resident of Mohalla- Sarahi, Ward No. 5, Bengha Road Saharsa, P.S.- Saharsa Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Amarnath Jha
For the Opposite Party/s : Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2017 Heard Sri Amaranth Jha, learned counsel for the petitioner and Smt. Madhuri Lata, learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 19.09.2017 in connection with Special (Excise) Case No. 399 of 2017 [arising out of Saharsa Sadar P.S. Case No. 973 of 2017] registered for offence under section 30(a) of the Bihar Prohibition and Excise Act , 2016 has prayed for grant of bail primarily on the ground that the accused from whose flour mill recovery of about 46 liters of Indian make foreign liquor was shown to be recovered has already been granted bail by this court vide order dated 20.11.2017 passed in Cr. Misc. No. 55859 of 2017. It has been argued that petitioner was arrested in the present case only on suspicion as if he was fleeing away after seeing Police party . Learned counsel for the petitioner has



also drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

Considering the fact that the co -accused from whose flour mill recovery was shown to be affected has already been granted bail, there is no reason to detain the petitioner in the present case. Accordingly, let the petitioner Rahul Kumar 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 A.D.J. II – cum – Special Judge (Excise Act) , Saharsa / concerned court in connection with Special (Excise) Case No. 399 of 2017 [arising out of Saharsa Sadar P.S. Case No. 973 of 2017].

(Rakesh Kumar, J)

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