

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14575 of 2018

Arising Out of PS. Case No.-632 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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Kailash Das, son of Jagan Das @ Jogan Das, resident of Village- Nariyar,
Ward No. 06, P.S.+ District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-03-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
28.12.2017 in connection with Special (Excise) Case No. 632 of
2017 registered for the offence punishable under Section 30(a)
of the Bihar Prohibition of Liquor and Excise Act, 2016.

The prosecution case, as lodged by the excise
official, is that petitioner and another co-accused, Basant
Choudhary were apprehended by the excise officials on a
motorcycle carrying 42 litres of country made liquor. They were
also found in an intoxicated condition. Accordingly, a
prosecution report and seizure-memo were prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated due to highhandedness of the excise officials. He submits that prosecution report has been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No. 632 of 2017.

(Nilu Agrawal, J.)

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