

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14499 of 2018

Arising Out of PS.Case No. -672 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. Raj Kumar Boshak, Son of Bipin Boshak, Resident of Village Behind
the Sadar Hospital Gandhi Nagar Ward No. 14, P.S. + District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
13.12.2017 in connection with Kishanganj P.S. Case No. 672 of
2017, arising out of Special Excise Case No. 522 of 2017 for
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that the petitioner is
dealing in illicit country-made liquor, his house was raided and
two persons including the petitioner were apprehended. In the
room in a bag 9 litres of country-made illicit liquor was recovered,
and, 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. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He further submits that another co-accused apprehended along with the petitioner has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 10382 of 2018 vide order dated 22.02.2018.

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 Addl. District and Sessions Judge-II cum Special Judge (Excise), Kishanganj, in connection with Kishanganj P.S. Case No. 672 of 2017, giving rise to Special Excise Case No. 522 of 2017.

(Nilu Agrawal, J)

Rajesh/-

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