

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14311 of 2018

Arising Out of PS.Case No. -956 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. PAWAN KUMAR @ PAWAN KUMAR GUPTA S/o Late Ram Chandra Sao, R/o Postal Park, Road No. 2, P.S.- Kankarbath, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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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 06.12.2017 in connection with Special Case No. 8882 of 2017 arising out of Kankarbagh P.S. Case No. 956 of 2017 for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30A of the Bihar Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information that the petitioner is a dealer of illicit liquor his house was raided, petitioner was apprehended and from the roof top 22.87 liters of foreign illicit liquor 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 only on suspicion. He submits that nothing has been recovered from his conscious possession, Section 100 Cr. P.C. has not been complied while preparing the seizure report and that charge-sheet has already been submitted and there is allegation of tampering of the prosecution witnesses by the petitioner.

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 Special Judge Excise (A.D.J. IX), Patna in connection with Special Case No. 8882 of 2017 arising out of Kankarbagh P.S. Case No. 956 of 2017.

(Nilu Agrawal, J)

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