

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5348 of 2018

Arising Out of PS.Case No. -321 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District -
EAST CHAMPARAN (MOTIHARI)

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Rajesh Kumar Singh, S/o Genalal Singh, R/o Village - Chainpur, P.S.-
Dhaka, P.S. - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner is seeking regular bail in Excise Case
No. 321 of 2017 arising out of Kundwa Chainpur P.R. No. 20 of
2017-18 registered for the offence under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and the allegation in the
present case is that while he was entering into the border from
Nepal area he was caught with 90 bottles of Nepali liquor (Saufi)
containing 300 ml each. Learned counsel submits that the seizure
itself is in violation of Section 100 Cr.P.C. and it is a case of false
implication.



Learned counsel for the State is present.

Considering the facts and circumstances that the petitioner is in custody since 22.11.2017 and has got no criminal antecedent, let the petitioner, named above, be enlarged on bail on his furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, East Champaran, Motihari in connection with Excise Case No. 321 of 2017 arising out of Kundwa Chainpur P.R. No. 20 of 1017-18, subject to the conditions as laid down under Section 437(3) Cr.P.C. and that he will cooperate in investigation and in case of non-cooperation or in case of repetition of similar allegations the Investigating Officer would be at liberty to move for cancellation of bail, the petitioner will be obliged to cooperate in course of trial.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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