

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16774 of 2018

Arising Out of PS. Case No.-655 Year-2017 Thana- JAHANABAD District- Jehanabad

Bholi Prasad @ Bholi Kumar, son of late Dilip Prasad @ Late Dilip Kumar,
resident of mohalla- Kali Nagar, P.S. & District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-03-2018 Heard.

The petitioner seeks bail in connection with Excise Case No.1097 of 2017, arising out of Jehanabad P.S. Case No.655 of 2017, registered under Section 30(a) and 37(b) (c) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about engagement of Chandan Prasad and his brother Bholi Prasad (petitioner) in selling the illicit liquor illegally through their minor brother Rahul Kumar, the informant and other police officials reached at Battish Bhawaria Chowk and saw and apprehended a boy with bag, who disclosed his name Rahul Kumar. On search of the bag, two bottles, each containing 750 ml. Indian Made Foreign Liquor, were recovered. At that time,



one person was also seen and was apprehended, who disclosed his name Munna Ahmad and on test by breath analyzer, he was found consuming liquor.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the alleged recovery was made from the bag of Rahul Kumar, the brother of the petitioner. The petitioner has falsely been implicated in this case on mere suspicion. Further submission is that, on mere suspicion, the petitioner has also been made accused in a case, as detailed in paragraph-3 to this application, in which he is on bail. The petitioner, in the present case, is in custody since 29.01.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Jehanabad, in connection with Excise Case No.1097 of 2017, arising out of Jehanabad P.S. Case No.655 of 2017.

(Rajendra Kumar Mishra, J)

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