

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31072 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Surendra Kumar @ Kaushalendra Kumar @ Surendra Sharma Son of
Sudeshwar Singh Resident of Village- Tadava, Police Station- Naubatpur,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-05-2018 Heard learned counsel for the petitioner and the State.

Petitioner seeks pre-arrest bail in Special Case No.944 of
2017 arising out of Naubatpur P.S.Case No.34 of 2017 instituted
for the offences under Sections 30(a), 38(c) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

Informant in his fardbeyan has stated that she is the
owner of the poultry farm and she detected some bottles of liquor
being kept in her farm and when she wanted to remove them the
petitioner prohibited her from doing so and also threatened her.
However, Subsequently, the liquors were removed and she
informed the police who conducted raid and recovered 9 bottles
each containing 750 ml. of English liquor.

It has been submitted on behalf of the petitioner that he



is innocent and no offence under Excise Act is made out against him. He has no criminal antecedent and has been falsely implicated in this case.

Considering the facts and circumstances of the case, le the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge-Excise, Patna, in Special Case No.944 of 2017 arising out of Naubatpur P.S. Case No.34 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C

(S. Kumar, J)

AnilKrSinha/-

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