

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32573 of 2018

Arising Out of PS.Case No. -416 Year- 2018 Thana -SITAMARHI District- SITAMARHI

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Md. Fool Hasan, S/o Md. Atabul @ Md. Atabul Rahman, R/o Bhasargot,
(Rikhauli), Ward No. 5, P.S. & District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 06-06-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
Sitamarhi P.S. Case No. 416 of 2018 for the offences under
Sections 272 and 273 of the Indian Penal Code and Sections 30(a),
37 and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. He was arrested in
connection with recovery of 64 liters liquor from a bush. He
further submits that from the memo of arrest, it appears that the
petitioner was arrested from the vegetable market, and not from
the place where the liquor was recovered.

Considering the totality of the fact that nothing
was recovered from the possession of the petitioner and has no any
criminal antecedent and also the fact that the petitioner is in



custody since 22.04.2018 and has remained in custody for more than one and half months, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 416 of 2018.

(Anil Kumar Upadhyay, J)

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