

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.993 of 2018

Arising Out of PS.Case No. -345 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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JASU KUMAR @ JASSU KUMAR, Son of Late Ganesh Sharma, Resident
of Village- Bairthu, Post- Supi, P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Excise Case No. 658 of 2017 arising out of Jehanabad P.S. Case
No. 345 of 2017 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 264 bottles of
illicit English wine from the Scorpio vehicle upon being
apprehended and searched by the Police and subsequently the
driver of the said vehicle had disclosed that the said consignment
belong to the petitioner.

The learned counsel for the petitioner submits that the
petitioner is neither the owner nor the driver of the said vehicle



and he has been falsely implicated in the present case merely on the basis of unsubstantiated disclosure made by the driver of the vehicle. It is submitted that though two cases are pending against the petitioner on same and similar allegation but the petitioner has been enlarged on bail in the said cases. It is further submitted that the petitioner is languishing in custody since 28.07.2017 and he has been remanded in the present case on 21.11.2017 .

Considering the nature of accusation and the period of custody already undergone, though I am inclined to grant regular bail to the petitioner above named but subject to furnishing bail bond of Rs. 1,00,000/- (rupees one lakh) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Jehanabad in connection with Excise Case No. 658 of 2017 arising out of Jehanabad P.S. Case No. 345 of 2017.

It is further directed that in case the petitioner is implicated in same and similar type of allegation, henceforth the present privilege of regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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