

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54041 of 2018

Arising Out of PS. Case No.-231 Year-2018 Thana- BARBIGHA District- Sheikhpura

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Bittu Kumar, Son of Upendra Kumar @ Ghuttar Singh @ Upendra Singh,
resident of Village- Khalilchak, Police Station- Barbigha, District-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Bipin Kumar

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-09-2018 Heard Sri Bipin Kumar, learned counsel for the
petitioner. None appeared on behalf of the State.

The sole petitioner, apprehending his arrest in connection with Barbigha P.S. Case No. 231 of 2018 [Excise Case No. 185 of 2018], registered for the offence under Sections 272/ 273 of the Indian Penal Code, 1860 and Section 30 (a) of the Bihar Prohibition & Excise Act, 2016 , has prayed for grant of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to the statement made in paragraph - 3 of the petition to show that petitioner is having clean antecedent. Besides this, it has also been argued that petitioner has falsely been made accused as if from the *cow- shed* of the petitioner



there was recovery of about 26.250 liters of Indian make foreign liquor. He submits that *cow- shed* was an open place and petitioner was not at all aware about concealment of liquor in the *cow- shed*.

Be that as it may, considering the nature of accusation and clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let petitioner - Bittu Kumar be enlarged on bail on furnishing bail bond of Rs. **10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District Judge, Sheikhpura / concerned court in connection with Barbiga P.S. Case No. 231 of 2018 [Excise Case No. 185 of 2018] subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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