

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58020 of 2018**

Arising Out of PS. Case No.-280 Year-2018 Thana- BARHARA District- Bhojpur

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Alagu Bind Son of late Rajesh Bind Resident of Village Semariya, P.S. -  
Barhara, District – Bhojpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Gopal Krishna, Adv.

For the Opposite Party : Mr. Rajeev Nayan, APP 231

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      03-10-2018                      Heard the learned counsel for the petitioner and the  
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 12.07.2018 in connection with Excise Case No. 1119 of 2018 arising out of Barhara P.S. Case No. 280 of 2018 for the offence alleged under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information that some persons are selling illicit liquor, police reached the place of occurrence and saw two persons trying to flee away with bags, but, while one managed to flee away throwing the bag, the petitioner was apprehended and 15 liters of mahua wine was found in the bag carried by the petitioner. However, on search of the other bag 11 liters of mahua wine was recovered, accordingly, a seizure



list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been made accused only on suspicion. He submits that charge sheet has already been submitted and the petitioner is languishing in judicial custody since nearly three months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No. 1119 of 2018 arising out of Barhara P.S. Case No. 280 of 2018 to the satisfaction of the learned Special Judge, Excise, Bhojpur at Ara.

**(Nilu Agrawal, J)**

Shamshad/-

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