

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63781 of 2018

Arising Out of PS.Case No. -400 Year- 2018 Thana -RUPASPUR District- PATNA

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1. Avinash Kumar, Son of Late Basgeet Singh, Resident of Barki Kopa,
P.S.- Naubatpur, District- Patna at present Residing at Maurya Vihar
Colony, P.S. Khagaul, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Prasad

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Rupaspur P.S. Case No.
400/2018, instituted for the offences under Sections 30(a),
38(I)(II) and 41(I) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
there is no recovery of any illicit liquor from conscious possession
of this petitioner. Seizure-list is part of F.I.R. wherein it is
mentioned that seizure has been made from a *Gumati* situated on
the land of Niraj Chaubey. It is further submitted that petitioner
has been implicated in this case merely on suspicion. He has clean
antecedent. He is in custody since 16.09.2018.

Considering the aforesaid facts and circumstances,



prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 Special Judge (Excise), Patna in connection with Rupaspur P.S. Case No. 400/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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