

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58678 of 2018

Arising Out of PS. Case No.-174 Year-2018 Thana- Patna City Chowk District- Patna

Putul Kumar, S/o Late Shyambabu Ray @ Rambabu Ray, r/o Moh-Kauakhoh (Kaimashikoh), P.S.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar
For the Opposite Party/s : State

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-09-2018 Heard Sri Nityanand Kumar, learned counsel for the petitioner. None appeared on behalf of State.

The sole petitioner, apprehending his arrest in Chowk P.S. Case No. 174 of 2018 (Spl. Case No. 4290 of 2018) registered for offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

It has been argued by learned counsel for the petitioner that nothing has been recovered from conscious possession of the petitioner. He submits that in this case, recovery of about 14 liters of country-made *mahua* liquor was shown from the road side and since the petitioner was earlier made accused in a case relating to offence under the Excise Act,



he has also been arrayed as accused in the present case.

Be that as it may, considering the nature of accusation as well as the fact that nothing was recovered from conscious possession of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Putul 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 Special Judge Excise, Patna, Distt. - Patna in connection with Chowk P.S. Case No. 174 of 2018 (Spl. Case No. 4290 of 2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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