IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18409 of 2018

Arising Out of PS. Case No.-541 Year-2017 Thana- SAUR BAZAR District- Saharsa

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Dilkhus Kumar, son of Arun Yadav @ Domi Yadav @ Arun Kumar, resident of village-Baijnathpur, Ward No.5, P.S. Sour Bazar, District-Saharsa

... ... Petitioner

Versus

The State Of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3 08-05-2018 At the very outset, learned counsel for the petitioner submits that by mistake in the address, village of the petitioner has been incorrectly typed as 'Baijnath' in place of 'Baijnathpur' and, as such, he requests for allowing him to make necessary correction.

The prayer is allowed.

It may be done in course of the day.

Heard Sri Pramod Mishra, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner having clean antecedent, which fact has been stated in paragraph-3 of the petition, who is in custody since 16.02.2018 in Special (Excise) Case No.556 of 2017, arising out of Sour Bazar P.S. Case No.541 of 2017

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registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that the petitioner was having no connection with the Maruti car, which was intercepted by the police, from which huge quantity of Indian Make Foreign liquor was recovered. It has been argued by learned counsel for the petitioner that the petitioner has been made accused as if the petitioner had fled away after seeing the police party. He further submits that none of the independent witness had named the petitioner save and except one Chowkidar.

Considering the nature of accusation, clean antecedent of the petitioner as well as period of custody, let the petitioner, namely, Dilkhus Kumar, 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, Saharsa in connection with Special Case No.556 of 2017 arising out of Sour Bazar P.S. Case No.541 of 2017.

(Rakesh Kumar, J)

nawalkrs/-

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