

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2465 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -MALSALAMI District- PATNA

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Tunni Sao @ Sanjay Kumar, Son of Naresh Halwai, Resident of Village-Simli Bhahi Choti Mandir, P.S. Malsalami, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Priyank Deepak, Advocate.

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Malsalami P.S. Case No. 273 of 2017 registered under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

170 litres of country made liquor is said to have been recovered from Mahindra Logan vehicle and six accused persons managed to escape taking the benefit of murk.

It is submitted by learned counsel for the petitioner that no criminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no concern either with the aforesaid vehicle or with the seized liquor. He has no criminal antecedent. He has been languishing



in custody since 03.11.2017. Similarly situated co-accused, namely, Vijay Rai has been enlarged on bail by a co-ordinate bench of this court vide order dated 14.12.2017 passed in Cr. Misc. No. 59795 of 2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Special Judge Excise, Patna in connection with Malsalami P.S. Case No. 273 of 2017.

(Prakash Chandra Jaiswal, J)

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