

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14332 of 2018

Arising Out of PS.Case No. -106 Year- 2017 Thana -DEODHA District- MADHUBANI

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Rahul Kumar Sahni @ Rahul Kumar S/o Binod Mukhia @ Binod Sahni,
R/o Village- Union Tola, Ward No. 3, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.11.2017 in connection with Deodha P.S. Case No. 106 of 2017,
G.R. No. 873 of 2017 for offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30 (a) Excise Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that some persons are
dealing in illicit liquor, the police reached there and apprehended
the petitioner and another co-accused Kari Yadav while they were
trying to flee away. From the place 129 liters of Nepali Saufi 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 nothing has been recovered from his conscious possession, it is only due to highhandedness of the police that he has been made accused, is a daily wage worker and not concerned with the sale or purchase of illicit liquor. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 2nd Additional Sessions Judge-Cum-Special Judge, Excise Act, Madhubani in connection with Deodha P.S. Case No. 106 of 2017, G.R. No. 873 of 2017.

(Nilu Agrawal, J)

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