

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14589 of 2018

Arising Out of PS.Case No. -232 Year- 2017 Thana -SURYAGARHA District- LAKHISARAI

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Nand Kishor Bhagat, son of Ram Bhagat, resident of Village- Manikpur,
P.S.- Indrapuri, District- Rohtas, At present- B.S.L.L.H. Sector No. 4
Quarter No. 104, P.S. Bokaro Steel City, District- Bokaro (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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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
29.11.2017 in connection with Suryagarha P.S. Case No. 232 of
2017 for offences punishable under Sections 272, 273 of the
Indian Penal Code and 30 (a)32(c), 38(d) of Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on patrolling duty they got information that a
white Indigo car is carrying illicit liquor they apprehended the
petitioner along with said car and from the car 42.99 liters of
foreign liquor 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, is the driver of the car and the owner was one Nirbhay Yadav who had put the consignment in the car and he did not know what it contained. 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 as well as the period of custody, 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 District and Sessions Judge-cum-Special Judge(Excise) Lakhisarai in connection with Suryagarha P.S. Case No. 232 of 2017.

(Nilu Agrawal, J)

Devendra/-

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