

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28227 of 2018

Arising Out of PS.Case No. -391 Year- 2018 Thana -SAHARSA District- SAHARSA

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1. Dhiraj Kumar, Son of Late Rambilash Chaudhary, Resident of Village-
Bengha, Ward No. 4, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Saharsa Sadar
P.S. Case No. 391 of 2018, Special (Excise) Case No. 173 of 2018
for offences punishable under Section 37 (b) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel
is that during patrolling duty, they apprehended two persons
including the petitioner in a drunken condition and with the help
of breath analyzer which confirmed that petitioner along with
another person had consumed liquor.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case and is languishing in judicial custody since 01.04.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in one more case of similar nature.

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 Special Judge Excise Act, Saharsa, in connection with Saharsa Sadar P.S. Case No. 391 of 2018, Special (Excise) Case No. 173 of 2018.

(Nilu Agrawal, J)

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