

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53359 of 2018

Arising Out of PS.Case No. -219 Year- 2017 Thana -BARBIGHA District- SEKHPURA

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Tarun Singh Rathore @ Tarun Kumar Rathor @ Rathore, Son of Amar Singh, R/o Village – Sherpur, P.S.-Barbigha, District – Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273, 414, 420, 467, 468 and 188 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

81 litres of foreign liquor is said to have been recovered from the washroom of the house of Arvind Tripathi and the petitioner and one other accused namely Deena Mahto are said to be associates of the said Arvind Tripathi in the trade of liquor.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or place of recovery or any trade of



liquor. Petitioner was not apprehended on the spot. Identity and genuineness of the source of information has not been mentioned in the written report. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 31.07.2018. Similarly situated co-accused, namely, Deena Mahto has been enlarged on bail by a co-ordinate bench of this court vide order dated 24.08.2017 passed in Cr. Misc. No. 36596 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 1st Addl. District and Sessions Judge, Sheikhpura in connection with Excise Case No. 386 of 2017 arising out of Barbigha P.S. Case No. 219 of 2017.

(Prakash Chandra Jaiswal, J)

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