

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62051 of 2018

Arising Out of PS. Case No.-325 Year-2018 Thana- GARDANIBAG District- Patna

Munka Rai S/o late Jamadar Rai R/o Pathargali, Janata Road, Jakkanpur,P.S.
Gardanibag,Town and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-10-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Gardanibag Police Station Case No. 325 of 2018 (Special Case No. 7296 of 2018), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From the petitioner's possession, allegedly 16.6 litres of country made liquor was recovered by the Police.

Learned counsel appearing on behalf of the petitioner contends that he does not have any criminal antecedents and the Police, as a matter of fact, seized the liquor from near the boundary wall of the petitioner's house and incorrect case has been made out that the articles were seized from the petitioner's house. He further submits that if he is again implicated in



similar type of offence, the Court may consider the cancellation of his bail, if allowed in the present case.

Considering the amount of seizure made and submission that the petitioner has no criminal antecedents, this application is allowed.

Let the petitioner, Munka Rai, be released 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 Special Case No. Gardanibag Police Station Case No. 325 of 2018 (Special Case No. 7296 of 2018).

(Chakradhari Sharan Singh, J)

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