

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60143 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -SARE District- NALANDA
(BIHARSHARIFF)

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1. Himanshu @ Baba @ Bikesh Kumar S/o Basant Mahton, R/o Vill.-
Bhikhani, Bigha, P.S.- Sare, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 28-09-2018 Heard both sides.

The petitioner seeks bail in Sare P.S. Case No.160 of 2017 registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a), (c) (d), 33 and 36 of Bihar Excise and Prohibition Act, 2016.

The police got information that in a paper factory, illegal foreign liquor is being manufactured, on such, a raid was conducted. Many persons started fleeing away but Manoj Kumar was arrested. It is found that Narendra Kumar is the owner of the factory and huge quantity of illicit liquor was recovered.

Learned counsel for the petitioner submits that petitioner was not arrested on the spot. The name of the petitioner



was disclosed by Manoj Kumar who is said to have been arrested on the spot and disclosed that petitioner and others are indulged in illicit business of liquor. Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. Petitioner is in jail since 19.08.2018.

Considering the facts that the name of the petitioner figured in the case in the confessional statement of Manoj Kumar but no incriminating article was recovered from the possession of the petitioner, the petitioner, above named, 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 learned 6th Additional District and Sessions Judge-cum-Special Judge, Excise, Nalanda, District-Nalanda in connection with Sare P.S. Case No.160 of 2017.

(Prabhat Kumar Jha, J)

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