

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70224 of 2018

Arising Out of PS. Case No.-286 Year-2018 Thana- WAJIRGANJ District- Gaya

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Rahul Kumar, S/o Sanjay Paswan, Resident of Village- Sudhani, P.S.-
Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-12-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Wazirganj Police Station Case No. 286 of 2018, registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is in custody since 05.09.2018. The Police, it is said, had found five persons attempting to conceal themselves behind a temple. When the Police attempted to approach them, they started fleeing away in motorcycles. The Police are said to have arrested some of the persons including the petitioner, who confessed before the Police that they engaged themselves in illegal trade of wine. It is also alleged that at the instance of the petitioner and another co-accused, 15



litres of Mahua wine was recovered. It has been stated in the application that petitioner has no criminal antecedent.

Learned counsel for the petitioner 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 above submission, this application is allowed.

Let the petitioner, Rahul Kumar, 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, Gaya in Wazirganj Police Station Case No. 286 of 2018.

(Chakradhari Sharan Singh, J)

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