

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72886 of 2018

Arising Out of PS. Case No.-379 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Rahul Kumar @ Shubham Kumar, son of Sanjay Kumar, resident of village
Dharnai, P.S. Makhdumpur, Distt. Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate.
For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-12-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Makhdumpur (Tehta O.P.)
P.S. Case No. 379 of 2018 (Excise Case No. 1013 of 2018)
instituted for the offence under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

The prosecution case hinges on self statement of the
informant S.I. Sudhakar Kumar who recorded his self statement
stating therein that on 13.10.2018 at about 10:15 a.m. he received
secret information regarding taking illegal English wine by some
accused persons in white colour Scarpio from Jehanabad towards
Tehta. The said Scarpio vehicle was followed by two Motorcycles
loaded with carton of illicit liquor. The informant along with his
other associates reached on NH 83 Bye-Pass at about 1:35 a.m. and
learnt that one Scarpio of white colour and two motorcycles have
passed loaded with foreign liquor. Two persons were apprehended



who disclosed their name as Sonu Kumar and Rahul Kumar @ Subham (petitioner). They also disclosed the name of persons who managed to run away as Amit Kumar, Munna Kumar, Vikash Kumar, Aashik Yadav and Sanjeet Kumar. The police on search, recovered huge quantity of foreign liquor from Scarpio vehicle. Police also recovered one carton of illicit liquor from Motorcycle. Petitioner is said to be driving the Motorcycle. He is in custody since 14.10.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Additional Chief Judicial Magistrate-II, Jehanabad, in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 379 of 2018 (Excise Case No. 1013 of 2018), subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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