

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11933 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -SAHARSA District- SAHARSA

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Anil Kumar Gupta, Son of Ram Lagan Prasad Gupta, resident of Kapra Patti, Ward No. 20, P.S. Saharsa, District- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Mistry, Advocate.

For the Opposite Party : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 14.01.2018 in a case for the offence registered under Section 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the petitioner was nabbed on 13.01.2018 on a public road near Saharsa Sabji Mandi, while demonstrating the effect of intoxication, publicly and causing nuisance at the public place.

It has been submitted by learned counsel for the petitioner that the petitioner has been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that



the petitioner was arrested in drunken state. No liquor is alleged to have been recovered from conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Saharsa, in connection with Saharsa Sadar P.S. Case No. 36 of 2018.

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(Sudhir Singh, J)

