

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27460 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -DANAPUR District- PATNA

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1. SHIV DAYAL KUMAR @ DAYAL KUMAR aged about 32 yrs S/o
Janak Rai, Residing at Sultanpur Mathh, P.S.- Danapur, Dist.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Kumar Maharaj

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner and the learned
APP for State.

The petitioner seeks bail in connection with Special
Case No. 1155 of 2018 arising out of Danapur P.S. Case No. 66 of
2018 for offences punishable under Sections 30(a), 37(b) & 38 of
Bihar Excise Act, 2016.

The prosecution case as lodged by the informant is that
the petitioner's car was searched and 115 litres of foreign liquor
was recovered. Two persons including the petitioner were
apprehended and one person managed to flee away. Accordingly,
the seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case. He submits that nothing has been recovered from his conscious possession and even the provision of Section 100 Cr.P.C. has not been complied with. The petitioner is languishing in jail custody since 11-02-2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 1155 of 2018 arising out of Danapur P.S. Case No. 66 of 2018, subject to the condition that one of bailors would be relative who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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