

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69706 of 2018

Arising Out of PS. Case No.-173 Year-2018 Thana- Sursand District- Sitamarhi

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Gulten Kumar @ Gulten Sah, Son of Sivan Sah @ Shiv Shankar Sah,
Resident of Village- Dumharpatti, Police Station- Pupri, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-11-2018 Heard Sri Pushpendra Kumar Singh, learned counsel
for the sole petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 29-08-2018, has prayed for grant of bail in Sursand P.S. Case No. 173 of 2018 registered for offence under Sections 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

At the very outset, learned counsel for the petitioner has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent. He further submits that the petitioner, in the present case, has falsely been implicated, as if, some of the villagers stated before the police that the petitioner was amongst four persons, who fled away after noticing the police and leaving two motorcycles with 124.800 litres of Nepali Saufi Wine. Learned



counsel for the petitioner, by way of referring to the statement made in paragraph nos. 8 and 10, submits that the petitioner was neither having any connection with the recovered article nor the concerned vehicles.

Considering the nature of accusation, period of custody as well as fact disclosed in paragraph-3 of the petition that the petitioner is having clean antecedent, let the petitioner, namely, Gulden Kumar @ Gulden Sah 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 A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sursand P.S. Case No. 173 of 2018.

(Rakesh Kumar, J.)

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