

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9598 of 2018

Arising Out of PS. Case No.-272 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.

District- Sitamarhi

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Bigan Sada, S/o late Sonphi Sada, R/o Village Khairwa, P.S., Bella, Distt,
Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar,
Mr. Ajit Kumar, Advocates
For the State : SMT. GULNAR BEGAM, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 22-03-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for offenses
punishable under Section 30(A) of the Bihar Prohibition and
Excise Act, 2016.

As per allegation, 54 liters illicit Nepali liquor has been
recovered from the possession of the petitioner.

Petitioner was granted bail vide order dated 13.07.2017



by this Court as contained in Annexure 1. However, a direction was given to the court below to verify regarding criminal antecedent of the petitioner before accepting the bail bond. The petitioner had written in the application that his criminal antecedent is clean but it was found at the time of acceptance of bail bond that he was involved in Bela P.S. Case No.80/14 registered under Sections 147, 341, 323, 504, 509 and 34 of the I.P.C. and, thus, the bail bond was not accepted. The petitioner approached this Court for modification of the order concerned, however, that was refused vide order dated 13.12.2017 passed in Criminal Miscellaneous No.53674 of 2017 which is also part of Annexure 1. However, it was observed that the order would not come in way of the petitioner in filing a fresh bail application before the court concerned. Accordingly, petitioner filed a petition before the court below which was rejected by A.D.J. 2, Sitamarhi vide order dated 20.12.2017.

The petitioner claims that he has remained in custody since 06.05.2017 and another case in which he is involved is not under Excise Act rather the same is under Sections 147, 341, 323, 504, 509 and 34 of the I.P.C.

Having regard to the facts and the circumstances of the case, the abovenamed petitioner is directed to be released on



bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the ADJ II-cum-Special Judge, Excise Act, Sitamarhi in connection with Case No.C2/272/17.

(Dr. Ravi Ranjan, J)

Sanjay/-

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