

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19286 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- BANKA District- Banka

Rajesh Kumar S/o Shuvendu Shekhar Kushwaha @ Shuvendu Mahto, R/o
Village- Bariyarpur, P.S.- Pri Bazar, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
18.02.2018 in connection with Banka P.S. Case No. 131 of 2018
for offences punishable under Sections 30(A) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that two persons in a
motorcycle are carrying illicit liquor they were apprehended and
from the possession of the petitioner 9 litres of foreign liquor
was recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and
nothing has been recovered from his conscious possession, but it



is only on the high-handedness of the police that he has been made accused in the present case.

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

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Additional Sessions Judge-2nd, Banka, in connection with Banka P.S. Case No. 131 of 2018, subject to the condition that petitioner will cooperate in the investigation/ trial and provide all necessary information, failure of which will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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