

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59263 of 2018

Arising Out of PS. Case No.-175 Year-2018 Thana- KURSAKANTA District- Araria

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Kundan Kumar Baitha Son of Ramanand Baitha Resident of Village:- Chikni
Mehadipur, P.S. Kursakanta, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

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

It is contended that, as per allegation, 330.6 litres
country made liquor was recovered from the bags which were
thrown by six accused persons including the petitioner after
seeing the police party. However, five of them fled away and
only the petitioner was apprehended. It is further contended that



nothing was recovered from the conscious possession of the petitioner rather the seized liquor was carried by the other co-accused persons who have thrown away the bags on seeing the police party and the petitioner who was passing from there was apprehended by the police on suspicion. Petitioner claims that he is having clean antecedent and is in custody since 05.08.2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Kursakanta (Sonamani Godam) P.S. Case No. 175/2018.

Further, if the petitioner, after his release in this case, is again found to be involved in similar nature of case then the court concerned would be at liberty to take steps for cancellation of his bail bond.

(Dr. Ravi Ranjan, J)

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