

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25441 of 2018

Arising Out of PS. Case No.-99 Year-2017 Thana- WAINA District- Nalanda

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Sudama Kumar S/o Late Prakash Mahto, R/o Vill.- Navinagar, P.S.-
Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Ben P.S.
Case no. 99 of 2017 registered under Sections 30, 30(a), 35(a),
35(b) of Bihar Prohibition & Excise Act-2016.

738 lts. of foreign liquor is said to have been
recovered from hut and gumti of Jawahar Prasad and he was
apprehended while other accused persons managed to escape.
Said Jawahar Prasad divulged the complicity of the friends of
his son also in the occurrence.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or with the place of recovery or with the son of Jawahar Prasad. He has been falsely implicated in the case at the instance of his enemy. He was not apprehended on the spot. Though three more case under Excise Act have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 12.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Addl. District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif in connection with Ben P.S. Case no. 99 of 2017.

(Prakash Chandra Jaiswal, J)

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