

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57335 of 2018

Arising Out of PS. Case No.-438 Year-2018 Thana- PURNEA SADAR District- Purnia

Raja Kumar S/o Ganesh Choudhary, R/o Vill.- Kumhar Tola, Barsoni, P.S.-
Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 04-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sadar P.S. Case No. 438 of 2018 giving rise to Special Excise Case No. 736 of 2018 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Petitioner is not named in the FIR. It is alleged in the FIR that 113.640 litres wine has been recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR and his name has surfaced during course of investigation and the police forcibly



arrested and remanded the petitioner. Nothing incriminating material has been recovered from the possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 11.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum-Special Judge, Excise, Purnea, in connection with Sadar P.S. Case No. 438 of 2018 giving rise to Special Excise Case No. 736 of 2018.

(S. Kumar, J)

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