

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3860 of 2019

Arising Out of PS. Case No.-417 Year-2018 Thana- BIKRAMGANJ District- Rohtas

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Guddu Kumar @ Surendra Prasad, son of Mahendra Prasad Gupta @ Mahendra Prasad Resident of Shyam Nagar, behind Shyam Talkies, P.S-Bikramganj,distt.-Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bikramganj P.S. Case No. 417 of 2018 dated 30.09.2018 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and under Section 30(a) of Excise Act.

The house of one Durga Sah was raided and recovery of liquor was made. It transpires from the FIR that the business of sale and purchase of liquor was carried out by aforesaid Durga Sah and in which business, his two sons viz. Sanjit Kumar and Manjit Kumar helped him. With respect to the petitioner who is also one of the sons of aforesaid Durga Sah, it has been stated that he brings the consignment of liquor home for



the same to be sold.

Learned counsel for the petitioner has submitted that in an effort to implicate the entire family members of aforesaid Durga Sah the name of the petitioner has been incorporated in the FIR with the aforesaid conjured up allegation.

The petitioner has clean antecedents and nothing has been recovered from his possession.

Considering the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise) Rohtas, Sasaram in connection with Bikramganj P.S. Case No. 417 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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