

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6761 of 2019

Arising Out of PS. Case No.-325 Year-2018 Thana- DARBHANGA GRP CASE District-
Darbhanga

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PHOOL MOHAMMAD, Son of Md. Yasin, Resident of Village - Tapasia,
Second Line, Ward No. 66, Tiljala, 24 Pargana (west Bengal), At Present
Resident of Village - Bhepura, Ward No.7, P.S.-Singhwara, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Rail Darbhanga P.S. Case**
No.325 of 2018 instituted for the offence under Section(s) 30(a)
of Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioner submits that petitioner has
been arrested only on suspicion.

In the written report, it is alleged that during
patrolling police raided in 1st AC boogie of Train No.13043 at
Darbhanga Railway Station and found that petitioner was
concealing something. When search was made of the bag of the
petitioner, liquor was found in the bag. It is stated that total 14



litres foreign liquor has been recovered.

It is submitted that there is no recovery from conscious possession of the petitioner. He has been made accused only on suspicion.

Petitioner is in custody since 29.12.2018 having clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **ADJ V cum Special Judge, Excise Act, Darbhanga**, in connection with **Rail Darbhanga P.S. Case No.325 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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