

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7750 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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BHAIRO KEWAT, aged 35 years, Male, S/o Pattu Kewat village-Jhewari
(Maire), P.S-Durgawati, Distt.-Kaimur at Bhabhua ...
Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Dharmendra Kumar Singh, Adv.
For the Opposite Party : Mr. Asha Devi, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-02-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
18.12.2018 in connection with Excise Case No. 1075 of 2018
corresponding to Durgawati P.S. Case No. 404 of 2018 for the
offence alleged under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that while on patrolling, on receiving secret
information that the petitioner, along with some accused
persons, is engaged in selling illicit liquor from the north side of
his house, the police reached there and on seeing the police
party the accused persons tried to flee away but the petitioner
was caught on chase. On search 47 plastic bottles and 37 plastic
bottles of 18 ml each containing wine were recovered.



Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in the instant case, bear no criminal antecedent and nothing has been recovered from the possession of the petitioner.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No. 1075 of 2018 corresponding to Durgawati P.S. Case No. 404 of 2018 to the satisfaction of the learned Special Judge (Excise), Kaimur at Bhabhua,

(Nilu Agrawal, J)

Shamshad/-

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