

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8813 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- CHAPRA TOWN District- Saran

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SUSHIL KUMAR @ SHIPAH- 330@ SUSHIL KUMAR son of Radha Krishna Prasad @ Radha Krishna Patel Resident of Village - Navka Tola. P.S. Mairwa, Dist. Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in (Saran) Chapra Town P. S. Case No. 11 of 2019 instituted for the offence under Section(s) 188, 120B/34 of the Indian Penal Code and Sections 30(a),38,41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for petitioner submits that there is no recovery of any foreign liquor from conscious possession of this petitioner.

It is alleged that police got confidential information that huge quantity of foreign liquor are being brought in a truck. On getting this information, the police reached at the place of occurrence and found one truck and one motorcycle were



standing near the house of co- accused Dilip Mahto. It is further alleged that few persons were also standing at the side of the truck. After seeing the police party, they started running away. This petitioner and one another accused, as named in the written report, has been apprehended. The truck was searched and total 2682.36 litres of foreign liquor has been recovered from the truck.

Seizure list is part of FIR. From seizure list, it appears that there is no recovery of foreign liquor from conscious possession of this petitioner. It is mentioned in the seizure list that a non judicial stamp has been recovered from possession of this petitioner.

Learned counsel for petitioner submits that other co-accused of this case has already been granted regular bail by co-ordinate Bench of this Court by order dated 7.2.2019 passed in Cr. Misc. no. 7215 of 2019.

Petitioner is in custody since 7.1.2019 having no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the 6th Addl. Sessions Judge, Saran at



Chapra, in connection with (Saran) Chapra Town P. S. Case No.
11 of 2019 subject to the condition that both the bailors shall be
the close relative of the petitioner.

(Sanjay Priya, J)

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