

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24289 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- SIGAUDI District- Patna

Sudeshwar Das @ Surendra Das, Son of Late Chandu Das R/o Village-
Olipur, P.S.- Sigori, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner is languishing in custody since 30.01.2019, in connection with Special Case No. 1095 of 2019, arising out of Sigori P.S. Case No. 10 of 2019, for the offence alleged under Sections 30 (a),37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel is that on secret information that some persons assembled are consuming and trading in illicit liquor, the police conducted a raid. While some persons managed to flee away, petitioner and one other accused was apprehended and on search both were found in an intoxicated condition as found by the breath analyzer and from possession of petitioner 11 litre of illicit liquor was recovered. Accordingly a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that other co-accused has been granted privilege of bail by the learned court below itself and the petitioner is languishing in judicial custody for more than two months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegation, the period of custody and that the petitioner does not bear criminal antecedent as stated in paragraph 3 of the petition, let the petitioner, above named, be enlarged 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 learned Special Judge, Excise, Patna, in connection with Special Case No. 1095 of 2019, arising out of Sigori P.S. Case No. 10 of 2019, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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