

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80372 of 2018

Arising Out of PS. Case No.-709 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Umesh Sah Son of Mangal Sah, resident of Village- Bhargawa, Tola-
Chhagraha Brita, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1
For the Opposite Party/s : Smt. Veena Rani Prasad.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on
behalf of the petitioner. Petitioner is in custody in connection
with Turkaulia PS Case No. 709 of 2018 for the alleged offence
punishable under Section 272, 273/34 of the Indian Penal Code
and Section 30(a), 39(i), 41(1) of the Bihar Prohibition and
Excise Act, 2016.

In the instant case, 1200 liters of spirit was recovered
from a pick-up van. Learned counsel appearing for the petitioner
submits that petitioner is the driver of the pick-up van. He was
made to understand that kerosene oil was kept in the vehicle and
was misled by the owner of the van. Petitioner has no criminal



antecedent and he is in custody since 27.10.2018.

Considering the fact that petitioner has no criminal antecedent and he is in custody since 27.10.2018, this application is allowed. 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 Special Judge, Excise, Motihari in connection with Turkaulia PS Case No. 709 of 2018.

(Anil Kumar Upadhyay, J)

mrl./-

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