

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26605 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- BASANHI District- Saharsa

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Birbal Kumar, Son of Dinesh Vishwas, Resident of Village - Sonbarasa Raj,
P.S.- Sonbarsa Raj, Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Special
(Excise) Case No. 448 of 2018 arising out of Basnahi P.S. Case
No. 92 of 2018, registered under Section 30(a) of the Bihar
Excise Act, 2016.

Learned counsel for the petitioner submits that
Gulshan Kumar, Promod Kumar and this petitioner had filed
Criminal Misc. No. 71222 of 2018 for prayer of bail, in which,
while Gulshan Kumar and Promod Kumar were allowed
privilege of bail but the prayer for bail of the petitioner was
rejected for the present taking into consideration that the
petitioner was accused in similar nature of another case. Further



submission is that petitioner is in custody since 04.06.2018.

The allegation is that petitioner and two others were apprehended each with 30 pouches, each containing 500 ml, country made liquor.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-cum-Special Judge, Excise Act, Saharsa, in connection with Special (Excise) Case No. 448 of 2018 arising out of Basnahi P.S. Case No. 92 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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