

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25763 of 2019

Arising Out of PS. Case No.-323 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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DIPU KUMAR, aged about 20 years, Male, Son of Shankar Das Resident of
Mohalla Khatri Tola P.S. and District- Jehanabad ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Paras Nath, Adv.
For the Opposite Party : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 30-04-2019 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
14.03.2019 in connection with Excise Case No. 323 of 2019 for
the offence alleged under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the Excise
Officials, is that the house of the petitioner was raided, the
petitioner was apprehended and on search from the house
15.750 liters of illicit foreign 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
nothing has been recovered from his conscious possession and



he is languishing in judicial custody since more than one month.

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

Considering the nature of allegations and the fact that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, 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. 323 of 2019 to the satisfaction of the learned Additional District & Sessions Judge II-cum-Special Judge, Excise, Jehanabad, or the successor Court, 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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