

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42348 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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NEJAMUDDIN DEWAN @ BIJLI DEWAN @ SHAIN, S/o Ashmohammad
Dewan @ Asmahmad Devan, R/o village- Jhakhiya, P.S.- Banjariya, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 15-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Mufassil P.S. Case No.201 of 2018** instituted for the offence under Section(s) 272, 273 Indian Penal Code and Section(s) 30(a) of Bihar Prohibition and Excise Act, 2016.

It is submitted that petitioner was not apprehended at the spot. Two persons were apprehended from the Truck, which was found loaded with 3460 litres spirit. Both persons, namely, Bhola Dewan and Firoz Khan disclosed the name of this petitioner.

Counsel for the petitioner submits that Petitioner is in custody since 11.04.2019.



In the facts and circumstances of the case, prayer of the petitioner for grant of bail 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 the 9th **Additional Sessions Judge cum Special Judge, Excise, Motihari**, in connection with **Mufassil P.S. Case No.201 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

It appears from para 3 that three more cases under the Excise Act is pending against the petitioner. The petitioner will file an Affidavit at the time of his furnishing bail bond that he will not indulge in such activities in future. In the event, he is found indulged in such activity in future, his bail bond in the instant case shall liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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