

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57866 of 2019

Arising Out of PS. Case No.-623 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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SANJAY KUMAR, aged about 40 years, Male, Son of Vishwanath Sharma @
Vishnath Sharma, Resident of Village- Dulhin Bajar, P.S.- Dulhin Bajar,
District- Patna ... 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. Suresh Prasad Singh, APP

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

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Excise Case No. 623 of 2019 for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 36 bottles, each
containing 750 ml of Indian made foreign liquor from a
dilapidated house of the petitioner situated at Baidrabad, Arwal.

The submission of the learned counsel for the
petitioner is that in fact the petitioner use to reside at village
Dulhin Bazar, Patna, not at Baidrabad, Arwal, from where the
alleged bottles of Indian made foreign liquor are said to be
recovered from the dilapidated house of the petitioner, which is
not being used for residential purpose.



Learned Additional Public Prosecutor for the State
opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the
case, let the petitioner, above named, in the event of
surrender/arrest, within a period of four weeks from today, in
connection with Excise Case No. 623 of 2019 shall 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, II, Jehanabad, or
the successor Court subject to the conditions as laid down under
Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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