

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73239 of 2019

Arising Out of PS. Case No.-467 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MANOJ KUMAR Son of Late Suresh Singh Resident of Village - Chakahaji,
P.S.- Samastipur (Mufassil), Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 20.9.2019 has
filed the instant application for grant of bail in connection with
Samastipur (Mufassil) P.S. Case No. 467 of 2019(District
-Samastipur) registered for the offence punishable under section
30(a) of the Bihar Prohibition of Excise Act, 2016.

As per the allegation in the FIR, 92 litres of IMFL
is said to have been recovered from the hut of the petitioner
which is said to be situated between two schools.

It is submitted by learned counsel for the petitioner
that no recovery as alleged has taken place and even from the
description of the place of recovery it would transpire that the



same is not a place where anything could be kept in lock and key and in fact it was a place accessible to all. The petitioner is in custody since 20.9.2019 and has no criminal antecedent.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, let the petitioner above named be enlarged 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 learned Additional Sessions Judge II cum Special Judge, Excise Act, Samastipur in connection with Samastipur (Mufassil) P.S. Case No. 467 of 2019(District -Samastipur).

(Partha Sarthy, J)

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