

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3486 of 2019

Arising Out of PS. Case No.-577 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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UMID KUMAR SINGH @ UMMID KUMAR SINGH, son of Nandu Singh
@ Indu Singh, Resident of village- Thanwo Ram, P.S- Dhaka, District- East
Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Ansul, Adv.
For the Opposite Party : Ms Asha Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
17.10.2018 in connection with Excise Case No. 577 of 2018 for
the offence alleged under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the Sashastra
Seema Bal officials, is that petitioner was found to be carrying
in his motorcycle 54 liters of Nepali Saufi wine. 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 languishing in judicial custody since more than three
months. He, further, submits that nothing has been recovered
from his conscious possession, he was just a villager of the



border village and has been falsely implicated in the aforesaid case. Petitioner undertakes not to induce witnesses or tamper with the evidence.

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

Considering the facts and circumstances and that the petitioner has a clean antecedent, 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. 577 of 2018 to the satisfaction of the learned Special Judge, East Champaran at Motihari, 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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