

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86443 of 2019

Arising Out of PS. Case No.-700 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Navin Kumar S/o Sadho Singh R/o Village- Jalsi, Ward No. -13, Harnahiya,
P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of bail in connection with Case No. C2/700 of 2019 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the complaint case, a total quantity of 468 litres of Nepali Saufi wine is said to have been recovered from a vehicle. It further transpires that a confessional statement has been given by the petitioner which forms part of prosecution report as per which it was the petitioner who was getting the liquor in the said vehicle from Nepal.

It is submitted by learned counsel for the petitioner



that no recovery as alleged has taken place from the petitioner. The petitioner has no concern either with the seized wine or the seized vehicle. Further from perusal of the seizure report performa brought on record as Annexure-1/1 to the petition, Column 3 thereof which deals with “place of seizure along with latitude and longitude”, has been left blank. It is further submitted that the petitioner has no criminal antecedent and is in custody since 16.11.2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. Let the petitioner 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 District and Sessions Judge II cum Spl. Judge, Excise Act, Sitamarhi in connection with Case No.C2/700 of 2019.

(Partha Sarthy, J)

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