

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36885 of 2020

Arising Out of PS. Case No.-365 Year-2017 Thana- HILSA District- Nalanda

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Sachin Kumar, aged about 27 years, male, Son of Satyanarayan Prasad,
Resident of Village- Rammurti Nagar Hilsa, P.S.-Hilsa, Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 07-04-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Hilsa P.S. Case No. 365 of 2017, dated 10.06.2017, instituted for the offences under Sections 414 of the Indian Penal Code and Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

The learned counsel for the petitioner has demonstrated from the F.I.R. that from the possession of



one Bahadur Prasad, liquor was recovered.

The aforesaid Bahadur Prasad is the tenant of the petitioner.

The learned counsel for the petitioner has submitted that though the recovery is technically from the house of the petitioner, but it was given on rent to aforesaid Bahadur Prasad. The petitioner had given strict instructions to his tenant not to use the premises for storing any intoxicant. It has further been submitted that for the act of the tenant, the petitioner cannot be made to suffer.

The petitioner does not have criminal antecedents.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge-Cum-Special Judge (Excise), Nalanda at Biharsharif in connection with Hilsa P.S. Case No. 365 of 2017, subject to the



conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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