

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57375 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- FULKAHA District- Araria

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Kari Kumar S/o Late Maheshwari Prasad Yadav R/o Village- Bhura, Ward no. 10, Triveniganj, P.S.- Triveniganj, Distt- Supaul, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Fulkaha P.S. Case No. 85 of 2022 lodged under Sections 30(a),
41(i) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, the total recovery of 567
litre *Nepali desi* wine has been made, which is the subject
matter of the present case.

Learned counsel for the petitioner submits that the
said recovery was made from Tata Safari. Counsel for the
petitioner submits that the antecedent of the petitioner is clean
and nothing was recovered from his possession. Counsel

submits that the petitioner was also not apprehended from the place of occurrence. Counsel submits that petitioner is in custody since 30.07.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Excise-II, Araria in connection with Fulkaha P.S. Case No. 85 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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