

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22959 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Mintu Kumar @ Tanik son of Late Ram Khelawan Ram resident of village -
Gadhirampur, P.S. - Naya Ramnagar, Distt. - Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.
Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of regular bail arises out of
Bhagalpur G.R. P.S. (Rail) Case No. 32/2016, disclosing offences
under section 47 of the Bihar Excise Act.

It is alleged that from the pantry car of Vikramsheel
Express train, one bottle of 375 ml. Royal Stag Whisky kept in a
bag was recovered by the rail police. The petitioner works as a
Cook in the pantry car. Upon an enquiry having been made by the
police, the petitioner is said to have claimed that the bag belonged
to him. With the said allegation, the F.I.R. came to be instituted.

Learned Senior counsel, appearing on behalf of the
petitioner, has submitted that evidently, the intoxicant was not

recovered from the petitioner's possession. It has been submitted that the Officer In-charge of G.R.P. Bhagalpur, who is the informant of the case, has mentioned that the petitioner claimed his ownership over the said bag. He submits that the petitioner is in custody since 25.4.2016 and this is for the first time that he has been implicated in a criminal case. He has been put under suspension, Mr. Agrawal contents.

Considering the above, this application is allowed.

Let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Bhagalpur in Bhagalpur G.R. P.S.(Rail) Case No. 32/2016.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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