

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24815 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -BALIA District- BEGUSARAI

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Ganesh Sah Son of Late Ghuran Sah Resident of village - Nurjamapur
Tola - Madhurapur, P.S. Ballia, District - Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. B.P. Pandey , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Ballia
P.S.Case No. 69 of 2016 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Section
47(A) of Excise Act.

It has been contended by the learned counsel for the
petitioner that the petitioner has falsely been framed in the
present case. There is no recovery of illicit liquor from the
conscious possession of the petitioner. The alleged recovery of
32 litres of country-made liquor is made from the house, which
was in a joint possession of several persons. It is also contended
that the petitioner having no criminal antecedent, is in custody

since 01.04.2016 and the alleged recovery was made prior to the amendments made under the Bihar Excise Act, 1915.

Learned counsel for the State has opposed the application for grant of bail to the petitioner.

Regard being had to the facts and circumstances of the case, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each of the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 69 of 2016.

(Ashwani Kumar Singh, J.)

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