

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50135 of 2016

Arising Out of PS.Case No. -144 Year- 2016 Thana -BAUSI District- PURNIA

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Rahul Kumar Son of Ranjit Mandal Resident of Village- Gulabbagh, P.S.
Sadar, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Baisi P.S.

Case No. 144 of 2016 registered for the offence punishable under

Section 273 of the Indian Penal Code and Section 47(a) of the

Bihar Excise (Amendment) Act, 2016.

The prosecution case is that a jeep being occupied by

three persons including this petitioner was apprehended and on

search, altogether 156 litres of foreign liquor of Indian origin were

seized for which, petitioner happens to be under custody since

08.09.2016. As per para-3 of this petition, petitioner has got no

criminal antecedent.

It has been submitted by the learned counsel for the



petitioner that nothing has been recovered from the conscious possession of the petitioner and that two other co-accused, who were apprehended by the police along with the petitioner, have since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 48471 of 2016 on 14.12.2016.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 2nd, Purnea in connection with Baisi P.S. Case No. 144 of 2016.

(Nilu Agrawal, J.)

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