IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55176 of 2016

Arising Out of PS.Case No. -152 Year- 2016 Thana -AMNAUR District- SARAN

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Jitendra Sah, son of Dharmnath Sah, resident of Village Lauwan Kala, P.S. Baniapur, District Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 18.11.2016 in connection with Amnour P.S. Case No. 152/16 registered for the offences punishable under Sections 188, 420, 34 of the Indian Penal Code and Sections 47/47(A)/ 48(2) of the Bihar Excise Act.

The prosecution case, as lodged by the police, is that on secret information the police party recovered 909 litres of foreign liquor from a pick-up van and First Information Report has been lodged against unknown.

It has been submitted by the learned counsel for the petitioner that he is innocent and it is on the basis of the confessional statement of co-accused Manish Kumar Singh @

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Tinku Singh that he had supplied liquor to the petitioner and that petitioner is an accused in another case of similar nature bearing Baniyapur P.S. Case No. 92/15 that the petitioner has been made accused. It is submitted that nothing has been recovered from the conscious possession of the petitioner and that other co-accused have since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 49798 on 13.12.2016, Cr. Misc. No. 49349 of 2016 on 13.12.2016 and Cr. Misc. No. 52335 of 2016 on 16.12.2016.

However, learned A.P.P. for the State submits that the petitioner does not have a clean antecedent and is involved in three cases, one of which is of similar nature, hence, opposes the prayer for bail.

Be that as it may, since other co-accused have been granted the privilege of bail on similar allegation, 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 Judicial Magistrate, 1st Class, Saran, Chapra in connection with Amnour P.S. Case No. 152/16.

(Nilu Agrawal, J.)

Rajesh/-

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