

Arising Out of PS.Case No. -214 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

.... Petitioner/s

The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

2 25-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since 19.08.2016 in connection with Kesaria P.S. Case No. 214/16 for offences punishable under Sections 272, 273, 290 of the Indian Penal Code and under Section 47(a) of the Excise Act.

The prosecution case, as lodged by the police, is that on secret information they went to corn field of one Ram Janam Sahani and saw a person fleeing away. Petitioner was apprehended by the police and when the police searched the place they found a bag with 41 pieces (each containing 180 ml.) about 7½ litres of foreign liquor in a ditch.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in

the aforesaid case. He submits that nothing has been recovered from the conscious possession of the petitioner and that the petitioner has no criminal history. He further submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances and the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XI, East Champaran at Motihari, in connection with Kesaria P.S. Case No.214/16.

(Nilu Agrawal, J.)

Rajesh/-

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