

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53335 of 2016

Arising Out of PS.Case No. -373 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Kanhaiya Chouhan Son of Sukhu Chouhan Resident of Village- salaki, P.S.
and District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
18.08.2016 in connection with Kishanganj P.S. Case No. 373 of
2016 registered for the offence punishable under Sections 47(a)
and 51 of the Bihar Excise Act.

The prosecution case is that while on 18.08.2016, the
informant was on patrolling duty, he having received information,
searched the tea stall of the petitioner and recovered 12 bottles
each of 600 ML containing Himalya Gold liquor and prepared the
seizure-list.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has no criminal history and has been



falsely implicated in the aforesaid offence. He submits that he is a poor tea seller and nothing has been recovered from his conscious possession.

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.

Be that as it may, considering the facts and circumstances and submission of the parties, 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 Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 373 of 2016.

(Nilu Agrawal, J.)

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