

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53003 of 2016

Arising Out of PS.Case No. -229 Year- 2016 Thana -DUMRA District- SITAMARHI

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Bhola Chaurasia, S/o Jairam Chaurasia, resident of Village- Bahadurpur,
P.S.- Ariari, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
11.09.2016 in connection with Dumra P.S. Case No. 229/16
registered for the offences punishable under Sections 272, 273 of
the Indian Penal Code and under Section 47(A) of the Bihar
Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the police, is that
on secret information at NH-77 two persons were apprehended in
a tempo and 56.5 litres of foreign liquor was seized from the
tempo. Accordingly, seizure list was prepared.

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



nothing incriminating has been recovered from his conscious possession and he was just a pilgrimage visiting Janki Asthan and other religious centers and the driver of the tempo has since been granted the privilege of bail by the court below itself. It is submitted that the seizure-list has not been prepared as per procedure as it bears the police station case number, although the seizure was made on the highway.

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 submissions 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, Sitamarhi, in connection with Dumra P.S. Case No. 229/16.

(Nilu Agrawal, J.)

Rajesh/-

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