

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51970 of 2016

Arising Out of PS.Case No. -356 Year- 2016 Thana -BARACHATTI District- GAYA

=====

1. Murari Sharma Son of Sadhu Sharma, resident of village / Mohalla -
Bairagi Jatna Colony, P.S. Delha, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Adv.
Mr. Shambhu Sharan Singh, Adv.

For the Opposite Party/s : Mr. Sri Panchanand Pandit, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-12-2016

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in custody since 13.09.2016 in connection with Barachatti P.S. Case No. 356/16 for offences punishable under Sections 272, 273, 120(B) of the Indian Penal Code and under Sections 47(a), 48(2), 54 and 63 of Bihar Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the police personnel, is that on secret information they intercepted a Honda City Car coming from Jharkhand loaded with huge quantity of foreign liquor and Indigo Car was piloting the said Honda City Car. On interception, two co-accused persons came out from the Honda City Car and the petitioner was apprehended from the Indigo Car. On search, the Honda City Car was found to have contained 150 litres of



foreign liquor in cartons.

It has been submitted by the learned counsel for the petitioner that he is innocent. Nothing incriminating has been found from his conscious possession and the allegation is false. It is further submitted that there is no criminal history against the petitioner. He was on a separate car from which no incriminating article has been recovered.

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

Be that as it may, since the petitioner has no criminal history and nothing has been recovered from his possession nor from his Indigo Car, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Barachatty P.S. Case No. 356/16, subject to the condition that the petitioner will appear before the police/court on each and every date. On failure to appear on two consecutive dates without assigning any reason will be liable for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rakhi

U		T	
---	--	---	--

