

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32077 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -BELA District- SITAMARHI

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Birjan Kumar, Son of Ram Vinay Ray, Resident of Village- Ghaghara,
P.S.- Parihar, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-08-2016

Heard Sri Krishna Kant Singh, learned counsel for

the petitioner and Sri Damodar Prasad Tiwary, learned Addl.

Public Prosecutor.

The sole petitioner, who is in custody since 31.05.2016 in connection with Bela P.S. Case No. 74/2016 registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 47 A of the Excise Act, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that the petitioner is a Tempo driver and he was not aware that the passenger, who had boarded on the tempo, was carrying Nepali country made liquor. However, on interception of three-wheeler of the petitioner, about 22 ½ liters of liquor was

shown to be recovered. He submits that the passenger has also been arrested.

Learned Addl. Public Prosecutor has opposed the prayer for bail of the petitioner.

However, keeping in view the nature of accusation and period of custody, let the petitioner, namely, Birjan Kumar be released 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 Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No.74/2016.

(Rakesh Kumar, J)

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