

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51057 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -MALAYPUR District- JAMUI

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Sonu Kumar, Son of Late Ramashish Singh @ Late Ramashish, resident of
village- Malpur, P.S.- Maranchi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
18.09.2016 in connection with Malaypur P.S. Case No. 38/16 for
offences punishable under Section 273 of the Indian Penal Code
and under Sections 47(a), 47(b) of the Bihar Excise Act.

The prosecution case as lodged by the police
patrolling party is that during course of checking of vehicles they
stopped the *maruti* car of the petitioner and seized 29 bottles of
foreign liquor each containing 750 ml. from the dickey of the car.

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 Section 273 of the I.P.C. is not

attracted and that except one case under different Sections of the SC/ST Act, in which he is on bail, he has no criminal history.

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 Chief Judicial Magistrate, Jamui, in connection with Malaypur P.S. Case No. 38/16.

(Nilu Agrawal, J.)

Rajesh/-

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