

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50900 of 2016

Arising Out of PS.Case No. -198 Year- 2016 Thana -PIRBAHOR District- PATNA

1. Md. Abbas, S/o Late Mohd. Ahmed, Resident of Bhagmatpur, P.S.- Sarairanjan, District- Samastipur, at present Near Mahendra Rly Bharti Board, Jhoparpatti, P.S.- Pirmahore, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyank Deepak, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 26.07.2016 in connection with Pirmahore P. S. Case No. 198/2016 for offences punishable under Sections 47/57 of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the police party on patrolling duty apprehended the petitioner on his cycle seized twelve liters of Mahua wine.

It is submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated. He further submits that nothing incriminating article has been seized

from his conscious possession, rather from the cycle. He further submits that the seizure list has been prepared in the police station and not at the place of occurrence, although the place of occurrence is on the road.

Learned A.P.P. for the state opposes the prayer for bail.

Be that as it may since the petitioner has no criminal history, considering the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S.Case No. 198/2016.

(Nilu Agrawal, J)

Sudha/-

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