

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54520 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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Md. Raju @ Hazrat Ali, son of Fajlu Mian @ Md. Mokim, resident of
Village- L.R.P. Road Banerhat, P.S.- Banerhat, District- Jalpaiguri (West
Bengal).
.... Petitioner

Versus

The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Sri Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with G.R.P.
Darbhanga P.S. Case No. 74 of 2016 registered for the offences
punishable under Sections 47, 57 of Bihar Excise (Amendment)
Act, 2016.

Allegedly, the petitioner was caught after chase and from
his bag 24 bottles of Bhutan Whisky each containing 750 ml. was
recovered.

Submission is of false implication and that the petitioner
has been made victim of circumstances, recovered articles were on
platform and the petitioner has got no criminal antecedent. He is in
custody since 02.09.2016 and there is no chance of tampering with
prosecution evidence and as such, the petitioner deserves



sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Samastipur in connection with G.R.P. Darbhanga P.S. Case No. 74 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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