

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51361 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MADHEPURA

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Lekhan Hembram @ Lakhan Hembram, son of Late Taleshwar Hembram,
Resident of village- Dinapatti (Chhatni Santhal Tola) Ward No. 3, P.S.
Murliganj, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
25.09.2016 in connection with C-103(7) of 2016 within Murliganj
Police Station registered for the offence punishable under Sections
47(a) and 53(a) of the Bihar Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the officials of the
Excise Department, is that the petitioner was found sitting by the
side of the road and on search 250 ML illegal chula wine kept in a
plastic bottle was recovered from his possession.

It has been submitted by the learned counsel for the
petitioner that he is innocent, a poor labourer and has no criminal
history. He submits that the recovery is of very small quantity and



considering the period of custody, he may be enlarged on bail.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with C-103(7) of 2016 within Murliganj Police Station.

(Nilu Agrawal, J.)

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