

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54421 of 2016

Arising Out of PS.Case No. -158 Year- 2016 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Mohan Kumar @ Dhalo, S/o Narayan Prasad. Resident of Ward No. 20 P.S.
Raxoul, Distt.- East Champaran. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumari Rashmi

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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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 Raxaul P.S.
Case No. 158 of 2016 registered for the offences punishable under
Sections 47 (a), 54 of Bihar Excise Amended Act, 2016.

Allegedly, during checking the petitioner and co-accused
Dipu Kumar were caught with motorcycle and from the
motorcycle foreign liquor kept in a plastic bag was seized which
was about 1.8 liter. The petitioner was driving the motorcycle and
plastic bag was recovered from Dipu Kumar.

Submission is of false implication and that the petitioner
is in custody since 28.07.2016 and has sufficiently been penalized.

Learned APP fairly submits that considering the period of
detention, lenient view can be taken.



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 S.D.J.M., Raxaul, East Champaran in connection with Raxaul P.S. Case No. 158 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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