

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1623 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Chandan Singh, son of Prabhat Kumar @ Prabhat Kuwar @ Prabhakar
Kumar, resident of village-Gaddopur, P.S. Mahua, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahua
P.S. Case No.139 of 2016/G.R. No.1525 of 2016 registered under
Sections 272 and 273 of the Indian Penal Code besides Sections
47 and 51 of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information
about selling of illicit country made liquor in front of the school at
Gaddopur in the hut of the petitioner, the informant alongwith
other police officials reached there. On seeing the police party,
one person succeeded to flee away. On query, the local people
disclosed the name of that person, who succeeded in fleeing away
from the hut, as Chandan Singh (petitioner) and on search of the



hut, three gallons containing 55 liters illicit country made liquor were recovered from there.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the alleged recovery was not made from the residential house of the petitioner rather the same is said to be made from the hut where none was present and local people disclosed the name of the petitioner, who succeeded in fleeing away from there on seeing the police party. Further submission is that the petitioner is accused in one case bearing Mahua P.S. Case No.519 of 2015, as detailed in paragraph-3 to this application, due to that reason the police falsely implicated the petitioner in this false case. The petitioner is in custody since 28.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali, in connection with Mahua P.S. Case No.139 of 2016/G.R. No.1525 of 2016 .

(Rajendra Kumar Mishra, J)

P.S./-

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