

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3171 of 2017

Arising Out of PS.Case No. -474 Year- 2016 Thana -BARACHATTI District- GAYA

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Chotu @ Dilnawaz, Son of Md. Aftab Alam, Resident of Mohalla- Bind,
P.S. Chatra, District- Chatra (Jharkhand).

.... 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 08-02-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Barachatti P.S. Case No.474 of 2016 registered under Sections 272, 273 and 120-B of the Indian Penal Code besides Sections 30(a), 32(II), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of checking of the vehicles, two vehicles, one red colour Alto Car and behind it, one white colour Bolero, were seen coming. Both the vehicles were stopped by the police. Thereafter, four persons started to flee away from the red colour Alto Car but they were apprehended by the police, who disclosed their name as Chotu alias Dilnawaz, Atul Kumar, Sonu Kumar and Satyam Lala while one Awadhesh Kumar Yadav was found on the driving seat of the white colour Bolero vehicle. On search of the white colour Bolero vehicle, which was being



escorted by the red colour Alto car in which the petitioner alongwith three others was sitting, 12 bags, each containing 200 pouches, each pouch containing 200 country made liquor, were recovered.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner and three others, namely, Atul Kumar, Sonu Kumar and Satyam Lala, were apprehended by the police while they started to flee away from the red colour Alto car, but no liquor has been recovered from the red colour Alto Car. The petitioner and three others, namely, Atul Kumar, Sonu Kumar and Satyam Lala, have falsely been implicated in this case on mere suspicion. The petitioner having no criminal antecedent is in custody since 24.11.2016.

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 Additional Chief Judicial Magistrate, Sherghati at Gaya, in connection with Barachatti P.S. Case No.474 of 2016.

(Rajendra Kumar Mishra, J)

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