

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12029 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -BAUSI District- PURNIA

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Chandan Kumar Thakur, S/o Sri Rampal Thakur, resident of Mohalla-
Maharajganj, Madhubani, P.S. and District- Madhubani..... .. Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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

ORAL ORDER

2 27-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Baisi P.S.
Case No. 179 of 2016 registered for the offences punishable under
Section 273 of the Indian Penal Code and Section 30 (a)/41 (1) of
Bihar Prohibition and Excise (Amendment) Act.

It is submitted that the petitioner and Md. Sabir were
apprehended and after search from Maruti car 159 bottles each
containing 1 liter Indian Made Foreign liquor were recovered and
on query the petitioner disclosed that the Maruti Car is belonging
to Chandan Kumar Bharti who had instructed to unload the same
at the house of his relation at Purnea.

Submission is of false implication and that in this case
similarly situated co-accused Md. Sabir has already been allowed
bail vide Cr. Misc. No. 2098 of 2017 by another co-ordinate



Bench of this Court and as such on that ground the petitioner also deserves sympathetic consideration as he is in custody since 19.10.2016 having no criminal antecedent.

Learned APP is not in a position to distinguish the case of the petitioner from that of co-accused.

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 A.C.J.M.- II, Purnea in connection with Baisi P.S. Case No. 179 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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