

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15633 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Santosh Rai Son of Late Aklu Rai, Resident of Village- Mahaddipur, P.S.
Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through the Director, General of Police, S.S.B.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2. **12-04-2017** Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 12.01.2017, in connection with Kundwachainpur P.S. Case No. 03 of 2017, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a), 37(a) of the Bihar Excise Act, 2016.

The prosecution case is that the S.S.B. personnel apprehended the petitioner on the border and seized 66½ litres of Nepali Soufi country made liquor from the sack which was loaded on the motorcycle. Accordingly, seizure list was prepared.



It has been submitted by learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and has no criminal history.

It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and charge-sheet has already been submitted. Hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials placed on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, in connection with Kundwachainpur P.S. Case No. 03 of 2017.

(Nilu Agrawal, J.)

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