

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5867 of 2017

Arising Out of PS.Case No. -425 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

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Rajnish Kumar @ Badmas, Son of Lakshmi Bhagat, Resident of Village-
Siyari, Police Station- Barharia, Distriat- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-02-2017 Heard both sides.

The petitioner seeks bail in connection with Siwan Muffasil P.S. Case No. 425 of 2016, instituted for the offence punishable under Sections 272, 273, 308, 420, 120(B) of the Indian Penal Code and 41(1) of the Bihar Prohibition Excise Act-2016

The informant happens to be S.H.O. of Siwan Muffasil. In his self statement, he has alleged that in the night of 15.10.2016, he apprehended a Scorpio vehicle and recovered 405 lts. illicit liquor containing in 45 cartoons. Seeing the police party, the petitioner managed to escape leaving the vehicle in question.

Learned counsel for the petitioner submits that the



petitioner was neither caught on the spot nor any recovery was made from his possession. The petitioner has no concern with the illicit liquor. He is in jail custody since 03.12.2016 having no criminal antecedent.

Learned APP, on the other hand, opposed the prayer.

The petitioner, admittedly, neither was caught from the place of occurrence nor any recovery has been made from his possession. From the records, I do not find any antecedent against him.

Considering the facts stated above, the prayer of bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No. 425 of 2016.

(Sanjay Kumar, J)

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