

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7207 of 2017

Arising Out of PS.Case No. -296 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Subash Prasad Son of Late Chhabila Prasad, Resident of Bablu Tola, Police Station- Chapra Muffasil, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the State.

Petitioner is languishing in judicial custody since 22.08.2016 in connection with Chapra Muffasil P.S. Case No. 296 of 2016 for offence alleged under Sections 272 and 273/34 of the Indian Penal Code and Sections 47, 47(a), 48(2) of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the police during patrolling duty, on a secret tip of went to the alleged place and seized 10 bottles of country made liquor in front of the house of one Triloki Manjhi. The petitioner was seen fleeing away and on being apprehended disclosed that he was also working as supplier.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. It has further been submitted that nothing has been recovered from his conscious possession and the statement made



by him was out of fear. He submits that the other accused persons who were engaged in dealing with illicit liquor has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 45191 of 2016 on 18.10.2016.

However, learned A.P.P. for the State submits that petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and from materials available on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran in connection with Chapra Mufassil P.S. Case No. 296 of 2016.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

(Nilu Agrawal, J)

Prakash/-

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