

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5721 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sunil Mahto @ Langra Son of Punyadeo Mahto, Resident of Mohalla-Shantinagar, P.S.-Chakia, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 25.07.2016 in connection with Chakia P. S. Case No. 176 of 2016 registered for the offence punishable under Sections 272, 273, 290 of the Indian Penal Code and 47A, 53 of the Bihar Excise Amendment Act, 2016.

The prosecution case is that the petitioner along with co-accused Ajay Mahto were caught by the police personnel with three bottles of India made foreign liquor and 20 pouches of country made liquor but it has not been mentioned by the informant as to from whose possession, the aforesaid liquor was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that another co-accused, Ajay Mahto has since been granted the privilege of bail by a Co-Ordinate Bench of this Court in Cr. Misc. No. 46766 of 2016 dated 25.10.2016, which is Annexure-2 of this application. He further submits that he has got no criminal antecedent.

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

Considering the facts and circumstances and that another co-accused has since been granted the privilege of bail on similar allegation, 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 13th Additional Chief Judicial Magistrate, Motihari, East Champaran in Chakia P. S. Case No. 176 of 2016.

(Nilu Agrawal, J)

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