

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23460 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -BARAUNI RAIL P.S. District- BEGUSARAI

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Sanjay Kumar, son of Briju Rai, resident of Village- Phulwariya-3, P.S.-
Phulwariya, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 24-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 09.03.2017
in connection with Barauni Rail P.S. Case No. 30 of 2017 for the
offences instituted under Sections 272, 273 of the IPC and 30(a) of
the Bihar Excise Amendment Act, 2016.

The prosecution story, in brief, is that on 08.03.2017 at
about 4.45, the informant was on duty alongwith the police forces
and during the course of roaming, he saw that one person jumped
from the Reservation Coach Train of *Garib Nabaz Express* having
with a bag and on suspicion, he gave signal to stop but he started
to flee away but he was nabbed by the police forces and he
disclosed his name as this petitioner and on interrogation, he has
disclosed that there are 12 bottles of English wine in bag,



thereafter in presence of two constables the bag was searched and he recovered 12 sealed bottles of Royal Stag kept in the bag under the Yellow colour cartoon, thereafter, he prepared the seizure list.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.03.2017. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. It is alleged that 09 liters of foreign liquor is said to have been recovered from possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing 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., Rail Barauni, in connection with Barauni Rail P.S. Case No. 30/2017.

(Sudhir Singh, J)

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