

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24592 of 2017

Arising Out of PS.Case No. -200 Year- 2016 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Laddu Jaiswal @ Jai Prakash Sah @ Jai Prakash Jaiswal, Son of Late
devi Lal Sah, Resident of Village-Murdachak Madhu Chhapra Adda
Bajar,P.S.-Pipra Kothi, District-East Champaran. Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 05-06-2017 Heard Sri Sanjay Prasad, learned counsel

appearing on behalf of petitioner however, none appears on behalf

of State. In view of explanation furnished, let defect be ignored.

Petitioner is seeking regular bail in connection with
Pipra Kothi PS case no. 200 of 2016 for offences punishable under
Sections 272, 273 of Indian Penal Code and Section 30(A) of
Bihar Prohibition and Excise Act, 2016.

The prosecution case is that in the evening of
26.11.2016 in course of patrolling duty, the police party came to
know that English wine has been stored and are being sold from
the premise of the petitioner. A raid is said to have been conducted
at the house of the petitioner in which, 72 bottles of Royal Stag
English wine each containing 750 ml has been recovered.

Learned counsel for the petitioner submits that the



petitioner is living in joint family house with his two other brothers and no recovery has been made from his conscious possession. He further submits that petitioner has no criminal antecedent and he is suffering from AIDS disease. He is said to be in jail since 17.03.2017.

Learned APP opposed the prayer for bail and submitted that the petitioner does not deserve privilege of bail.

In the facts and circumstances stated above considering the submissions and the statements made in para 3 of the petition that the petitioner has absolutely clean antecedent and also that the petitioner is suffering from a fatal disease, let petitioner Laddu Jaiswal @ Jai Prakash Sah @ Jai Prakash Jaiswal on completion of three months since 17.03.2017 is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari (East Champaran) in connection with Pipra Kothi PS case no. 200 of 2016 subject to the conditions that one of the bailors shall be a family member of the petitioner and the petitioner shall cooperate in conclusion of the trial.

Accordingly, this application is disposed of.

(Rajeev Ranjan Prasad, J.)

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