

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26540 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -PIYAR District- MUZAFFARPUR

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1. Vikash Kumar, Son of Shyam Babu Rai, Resident of Village/Mohalla-Gopalpur, P.S.-Mahua, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-06-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in custody since 23.03.2017 in a case registered for the offences alleged under Sections 272, 273, 120 (B) of the Indian Penal Code and Sections 30 (A), 35 (A) & 38 (4) of Bihar Prohibition & Excise Act, 2016.

The prosecution case is that on patrolling duty the police party found 8-10 persons at the place of occurrence and apprehended two persons including the petitioner, thereafter, on search from truck container and Tata - 407, huge quantity of foreign liquor was recovered , accordingly a seizure list was prepared.

It is submitted by the learned counsel for the petitioner that he has a clear antecedent and



that nothing has been recovered from his conscious possession. Large number of persons had gathered at the place of occurrence and the petitioner was picked from amongst them. It has further been submitted that the petitioner has no criminal antecedent and nothing has been recovered from his conscious possession.

However, learned A.P.P. for the opposes the prayer for bail.

Considering the facts and circumstances and period of custody, 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 Additional Sessions Judge-Cum- Special Judge- 3rd , Excise, Muzaffarpur, in connection with Pear P.S.Case No. 19/2017.

(Nilu Agrawal, J)

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