

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25280 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -FULKAHA District- ARRARIA

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1. Anil Paswan, S/o Bihari Paswan Resident of Village-Madhura South,
Ward No. 08, P.S. Narpatganj, District Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 06-06-2017 Heard Mr.Anil Prasad Singh, learned counsel

appearing for the petitioner and learned A.P.P. for the State.

The petitioner is seeking regular bail in Fulkaha
P.S.Case No. 27 of 2017 for the offences alleged under Sections
272 and 273 of the Indian Penal Code and Section 30(a) of the
Bihar Excise Act, 2016.

The prosecution case, in brief, is that when the
informant along with police force was on patrolling duty and
reached near Fulkaha Chowk, he found two persons coming on a
motorcycle having something in a plastic bag. Having seen the
police they started fleeing away after leaving the motorcycle and
the bag but the police succeeded in apprehending the present
petitioner. Altogether 170 bottles, each containing 300 ml, total 51



litres Nepali country made liquor were recovered from the plastic bag, which were seized.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and nothing has been recovered from the physical possession of the petitioner and the petitioner is in custody since 01.04.2017.

Learned A.P.P. opposed the prayer for bail as according to him the petitioner does not deserve regular bail at this stage.

Considering the fact that the petitioner has no criminal antecedent and the alleged recovery has been made from a bag, which is said to have been carried and left with the motorcycle on which one more person was allegedly riding, let the petitioner, namely, Anil Paswan, be released on bail, in completion of three months in custody, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions judge-II-cum- Special Judge, Araria in Fulkaha P.S.Case No.27 of 2017.

(Rajeev Ranjan Prasad, J)

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