

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26095 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -BHAGALPUR RAIL P.S. District-
BHAGALPUR

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Mohan Choudhary, son of Late Bindeshwari Choudhary, resident of Chhoti Baliya (Sadanchak) P.S.- Baliya (Ward No.4) or P.O.+P.S.- Baliya (Lakhminiya) Sadanchak Ward No.4, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-06-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bhagalpur Railway P.S.
Case No. 37 of 2017 registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The petitioner is said to have been apprehended with
930 ml foreign liquor from the bogie of the train.

It is submitted by learned counsel for the petitioner
that the petitioner has committed no offence and has been falsely
implicated in the case. He was sitting on his seat and the alleged
bag was put under his seat. The police recovered the same and
forcibly arrested the petitioner. No incriminating article was



recovered from the conscious physical possession of the petitioner.

The petitioner is languishing in custody since 04.03.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate, Railway, Bhagalpur in connection with Bhagalpur Railway P.S. Case No. 37 of 2017.

(Prakash Chandra Jaiswal, J)

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