

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25766 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -BARAUNI RAIL P.S. District- BEGUSARAI

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Mukesh Ram, Son of Sankar Ram, Resident of Village- Phulwaria Ganj,
P.S.- Phulwaria, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 15-06-2017 Heard Sri Ashok Kumar, learned counsel for the
petitioner and Sri Ram Sumiran Roy, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Rail Barauni P.S. Case No. 36 of 2017 for offence registered under Sections 272 and 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he was one of the accused persons, who was indulged in illegal sale of liquor in connivance with the staffs of the pantry car of the railway. The seizure-list shows recovery of 23 pouches of Royal Stag Whisky and 07 pieces of Imperial Blue Whisky recovered from the possession of the petitioner. However, he challenged that the seizure has not made in accordance with Section 100 of the Code of Criminal Procedure and petitioner has been falsely implicated in this case. He is in custody since 19.03.2017.



He also submits that the petitioner has got clean antecedent.

Learned A.P.P. opposed the prayer for bail.

However, considering that the petitioner is in custody for three months and the investigation is over, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the R.J.M. Barauni in connection with Barauni Rail P.S. Case No. 36 of 2017, subject to the condition under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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