

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43792 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Ashraf Khan Son of Mohammad Jan, R/o Mohalla- Amla Patti (Paithan Patti), P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zaki Haider

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 The petitioner seeks regular bail in connection with Kundwa Chainpur P.S. Case No. 31 of 2017, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) and 37(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 45 litres of Nepali Saufi liquor.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and he is only the driver of the vehicle from which alleged recovery was made. Further he has no criminal antecedent and has been in judicial custody since 09.03.2017.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikranha, Dhaka, in connection with Kundwa Chainpur P.S. Case No. 31 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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