

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42219 of 2017

Arising Out of PS. Case No.-78 Year-2017 Thana- KUNDWACHAINPUR District- East
Champaran

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Sanjeev Kumar, Son of Shambhu Paswan, resident of Village- Parsa, P.S.-
Pakarideyal, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through Inspector General, S.S.B., Frontier Head Quarter,
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Abhishek Kumar

For the Opposite Party/s : Smt. Punam Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-09-2017 Heard Sri Abhishek Kumar, learned counsel for the

petitioner and Smt. Punam Kumari Singh , learned counsel

who has appeared on behalf of opposite party no. 2/ S.S.B.

The sole petitioner, who is in custody since 31.05.2017
in Kundwachainpur P.S. Case No. 78 of 2017 registered
for offence under Section 272, 273 , 34 of the Indian Penal
Code 1860 and section 30(a) , 37(a) of the Bihar
Prohibition and Excise Act , 2016 has prayed for grant of
bail.

It was submitted by learned counsel for the petitioner
that petitioner was allegedly apprehended while moving
on a motorcycle with one another person on an accusation



that petitioner was carrying about 9 liters of Nepali foreign liquor. He submits that though seizure was prepared but it was in violation of section 100 of the Code of Criminal Procedure , 1973 . Besides this, he has drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent, whereas Smt. Punam Kumari Singh , learned Central Government Counsel vehemently opposing the prayer for bail has argued that after interception of the petitioner, accused persons on motorcycle were also noticed who threw a bag containing huge quantity of foreign liquor and they fled away. Learned Central Government Counsel tried to persuade the court as if petitioner was also associated with the other accused person.

Be that as it may, considering the nature of accusation, clean antecedent of the petitioner as well as period of custody, let the petitioner Sanjeev Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran / concerned court in



connection with Kundwachainpur P.S. Case No. 78 of
2017.

(Rakesh Kumar, J)

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