

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36991 of 2017

Arising Out of PS.Case No. -159 Year- 2017 Thana -BARGANIA District- SITAMARHI

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Bhola Paswan, son of Akalu Paswan, R/o Village- Dumarwana, Ward No. 20, P.S.- Bairgania, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bairgania P.S.Case No. 159 of 2017 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and 30(a), 37(b) of Bihar Excise Amendment Act, 2016.

Allegation as per FIR is of recovery of 22.8 litres of Nepali wine from the possession of the petitioner and petitioner was in drunken condition.

Submission of learned counsel for the petitioner is that nothing has been recovered from his possession and he has falsely been implicated in this case and he is in custody for more than two months having no criminal antecedent.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances of the case, 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 Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Bairgania P.S.Case No. 159 of 2017, subject to the conditions that :-

- (i) one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) petitioner shall appear in court on each and every date fixed and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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