

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54242 of 2017

Arising Out of PS.Case No. -397 Year- 2017 Thana -NAWADA District- NAWADA

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1. Sanjay Singh Son of Mishri Singh Resident of village- Kendua, P.S.-
Muffasil, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Nawada

Town P.S. Case No. 397/17 for offences punishable under

Sections 272, 273 of the Indian Penal Code and Section

30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police

personnel, is that on secret information the house of Rajesh

Singh and Rakesh Singh was searched and from the share

of the house of Rakesh Singh 323 litres of foreign liquor

was recovered for which Rakesh Singh stated that the

premise was let out to the petitioner by means of

Kirayanama.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was not apprehended by the police. He submits that only on the statement of one Rakesh Singh, the petitioner has been made accused. He further submits that nothing has been recovered from his conscious possession and he is languishing in judicial custody since 20.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned A.D.J.-II cum Special Judge, Nawada, in connection with Nawada Town P.S. Case No. 397/17, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty



to move the learned court below for cancellation
of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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