

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59072 of 2017

Arising Out of PS.Case No. -127 Year- 2017 Thana -MUZAFFARPUR (R.T) District-
MUZAFFARPUR

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1. PAWAN KUMAR GUPTA S/o Sonelal Sah, R/o Mohallah- Sadpura
Ramna, P.S.- Kazimohammadpur, Distt.- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2017 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Muzaffarpur Rail P. S. Case No. 127 of 2017 corresponding to
G.R. No. 460 of 2017 instituted for the offence punishable under
Section 30 (a) of the Bihar Excise Prohibition Amendment Act,
2016.

The allegation is regarding recovery of 10.8 liters of
illicit liquor from the bag lying in the Bagh Express in Boggi No.
S-2 in which the petitioner was traveling.

Learned counsel for the petitioner submits that in fact
the petitioner has been falsely implicated in the present case and



he was traveling in train only as a co-passenger and merely on the basis of suspicion, he has been implicated in the present case. It is submitted that the petitioner is in custody since 09.09.2017. It is stated that at the moment, the petitioner has a clean antecedent.

Considering the nature of accusation, period of custody undergone and the fact that the petitioner has a clean antecedent, I deem it fit and appropriate to direct the release of the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Muzaffarpur cum Special Judge, Excise, Muzaffarpur in connection with Muzaffarpur Rail P. S. Case No. 127 of 2017 corresponding to G.R. No. 460 of 2017.

(Mohit Kumar Shah, J)

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