

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60003 of 2017

Arising Out of PS.Case No. -317 Year- 2017 Thana -KOTWALI District- PATNA

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1. Sone Lal Rai S/o Late Devilal Ray, R/o Village- Bhagwanpur Bochaha,
P.O.&P.S.- Bochaha, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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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 APP for the State.

The petitioner seeks regular bail in connection with Kotawali PS case no. 317 of 2017 instituted for the offences punishable under Sections 272, 273, 120B of Indian Penal Code and 30(a), 38(2), 41(1)(2) and 47 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1762.5 ltrs. of illicit foreign liquor from old M.L.A. house which was under demolition. It is alleged that three persons including the petitioner tried to escape but were apprehended.

It is contended by the learned counsel for the petitioner that petitioner was not in possession of the said premise



rather one Ramashray Prasad and Pappu Kumar who are the contractors were having the control of the said premise and the petitioner is a mere labour, thus he has got no connection with alleged recovered illicit liquor. It is further submitted that petitioner has clean antecedent and is in custody since 19.08.2017.

Considering the nature of accusation, clean antecedent and the period of custody undergone, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Patna in Kotwali PS case no. 317 of 2017.

(Mohit Kumar Shah, J)

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