

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2358 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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Naresh Kumar, Son of Upendra Sah, Resident of Village- Baikatpur, P.S.
Musahari, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Mr. Sri Rajeev Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Musahari P.S. Case No. 146 of 2016, registered under Sections

272 and 273 of the Indian Penal Code and Section 47(a)/54 of the

Bihar Excise Act, 2016.

The accusation is of recovery of three bottles, each

containing 375 ml and six bottles, each containing 180 ml of

Indian made foreign liquor from the straw house of the petitioner.

Learned counsel for the petitioner submits that the

straw house, from where, the alleged country made liquors were

said to be recovered is not the open place and assessable to all. In

fact, on the date of recovery of aforesaid liquors, petitioner had



gone to Calcutta. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Judge-III-cum-Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Musahari P.S. Case No. 146 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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