

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6446 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Umesh Chaudhary, son of Chullai Chaudhary, resident of Village-
Bahura, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 07.12.2016
in connection with Madhuban P.S.Case No. 93 of 2016 for
offences punishable under Sections 272, 273 and 290 of the Indian
Penal Code and 47, 51 and 52 of the Bihar Excise Act, 2016.

The prosecution case as lodged by the police personnel
is that during raid, they reached the thatched hutment of the
petitioner and found 18 pieces kingfisher beer each containing 650
ml. and 9 pieces of foreign liquor each containing 180 ml but the
petitioner managed to flee away and accordingly, a seizure list was
prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case and the seizure list has not been signed by the petitioner or either his family members, who were present in the thatched hutment. He further submits that he bears no criminal history and nothing has been recovered from his conscious possession.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, 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 4th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Madhuban P. S. Case No. 93 of 2016.

(Nilu Agrawal, J)

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