

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11676 of 2017

Arising Out of PS.Case No. -434 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Md. Shamsul @ Md. Shamsul Haque, Son of Eenul Haque, Resident of
Village-Loharpatti, Police Station-Kishanganj in the District of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gopesh Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.09.2016 in connection with Kishanganj P.S. Case No. 434/2016
registered for the offence punishable under Section 47 of the Bihar
Excise (Amendment) Act, 2016.

The prosecution case is that the police searched the
tempo and recovered 119 bottles each containing 600 ml Nepali
liquor (total 71.400 litres) in which the petitioner and two others
were also found sitting.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
falsely been implicated in the aforesaid case as 71.400 litres of



country made liquor was not attributable only to the petitioner as there were other two accused persons and one of them has been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 14229 of 2017 on 07.04.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 434/2016, G.R. No. 1548/2016.

(Nilu Agrawal, J)

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