

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.604 of 2017

Arising Out of PS.Case No. -176 Year- 2016 Thana -BARGANIA District- SITAMARHI

=====

Raja Kumar, son of Mohan Singh, R/o Village- Kurmi Tola, Bairginia,
Ward No.14, P.S.- Bairginia, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, advocate.

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

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner, who is in custody, seeks bail in connection with Bairginia P.S.Case No. 176 of 2016 registered under Sections 272 and 273 of the Indian penal Code and Section 47(a) of the Bihar Excise (Amendment) Act.

Prosecution case, in brief, is that the police apprehended the petitioner after mid night and recovered 30 pieces of *Nepali Saufi* wine from the bag carried by the petitioner, each containing 300 ml in total 09 litres.

Learned counsel for the petitioner submits that nothing was recovered from the possession of the petitioner and the police has falsely implicated him and the witnesses made in seizure list are of different villages and the petitioner has got no



criminal antecedent and has been in custody since 17.09.2016.

Considering the aforementioned facts and circumstances, in particular, the recovery of small volume of *Napali* liquor, period of custody and having no criminal antecedent, the petitioner, named above, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bairginia P.S. Case No. 176 of 2016.

(Arun Kumar, J)

Sujit/-

U			
---	--	--	--

