

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25276 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -KANHAULI District- SITAMARHI

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1. Dinesh Baitha, Son of Bhikhari Baitha, Resident of Village-Mohanpur,
P.S.-Sitamarhi, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

4 06-06-2017 Heard Mr. Pushpendra Kumar Singh, learned

counsel appearing for the petitioner and Mr. Chaubey Jawahar,

learned A.P.P. for the State.

The petitioner is seeking regular bail in Kanhauli
P.S.Case no. 33 of 2017 registered under Section 273 of the Indian
Penal Code and 30(A) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, as alleged in the FIR, would
show that during search of three wheeler (Auto) moving on the
road, 360 pieces of Nepali Saufi liquor of 300 ml. was recovered.
It is alleged that the petitioner was driving three wheeler in
connivance with the owner of the said three wheeler and was
carrying consignment.



Submission of the learned counsel for the petitioner is that the petitioner has got no criminal antecedent and he is in custody since 10.03.2017. He further submits that the seized liquor were not recovered from his conscious possession although he was allegedly driving the auto. He further submits that the investigation is over and the charge sheet has already been submitted in the present case.

Learned A.P.P. opposed the prayer for bail.

In the facts and circumstances, stated above, and considering that the petitioner has no criminal antecedent and he has been in custody for about three months, let the petitioner, namely, Dinesh Baitha, be released, on completion of three months in custody, on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Smt. Jyoti Kumari, learned Additional Chief Judicial Magistrate- VII, Sitamarhi in Kanhauli P.S. Case No. 33 of 2017.

(Rajeev Ranjan Prasad, J)

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