

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25348 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -DULHIN BAZAR District- PATNA

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Balbir Kumar @ Bambir Kumar, aged about 21 years, S/o Sri Tejan Roy,
resident of Village- Maudahi, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Adv.

For the Opposite Party/s Mr. Sri Rajkishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

2 06-06-2017 Heard Mr. Nawal Kishore Prasad, learned counsel for

the petitioner and Mr. Rajkishore Singh, learned Additional Public

Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Dulhin Bazar P.S. Case No. 60 of 2017 registered for the
offences under sections 270, 272 of the Indian Penal Code read
with section 30(A) of the Bihar Excise Act, 2016.

The allegation as contained in the First Information
Report would show that during the patrolling duty, the informant
intercepted a 'Maruti Suzuki Zen' vehicle and in course of search,
the petitioner was apprehended while trying to flee away. The
another person who was driving the vehicle, fled away taking
benefit of darkness during night period. The petitioner disclosed
the name of said person as Mohan Kumar, who was owner of the



vehicle. Four plastic bags containing 30-30 liters country-made wine (Mahua wine) in each bag and one plastic bag containing a tyre-tube having 30 litres country-made wine (Mahua wine) were allegedly recovered from the said vehicle.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and neither he is driver nor the owner of the said vehicle. It is further submitted that the petitioner is a student and was going to his Nanihal taking a ride on the said vehicle and he is in jail since 28.03.2017.

Learned APP opposed the prayer for bail.

Considering the fact that the petitioner has clean antecedent and he is a student and has no connection with the said vehicle, let the petitioner, above named, on completion of three months in jail-custody, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the Special Court Excise, Patna in connection with Dulhin Bazar P.S. Case No. 60 of 2017, subject to the condition that one of the bailors shall be a family member of the petitioner having no criminal antecedent.

Accordingly, this application is disposed of.

(Rajeev Ranjan Prasad, J)

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