

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26016 of 2017

Arising Out of PS.Case No. -193 Year- 2017 Thana -KATIHAR District- KATIHAR

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Shankar Choudhary S/o Rameshwar Choudhary, resident of Village- Gareri Tola, Mofarganj, P.S.- Katihar, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 27.03.2017 in connection with Katihar Town (Sahayak) P.S. Case No. 193 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a)/37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the informant, is that on search of a tempo 48 litres of country made liquor was seized from beneath the seat of the tempo.

It has been submitted by the learned counsel for the petitioner that he is not the driver of the tempo, but a passenger, who was returning from burial ghat. It is further submitted that



nothing incriminating has been seized from the conscious possession of the petitioner and he bears no criminal history.

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 Additional Sessions Judge-II cum Special Judge, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 193 of 2017.

(Nilu Agrawal, J.)

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