

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47962 of 2017

Arising Out of PS.Case No. -210 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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1. Umesh Sah @ Tikar S/o Rajbanshi Sah, R/o Chakiya Road, Barhariya Stand, P.S.- Siwan Muffasil Mahadewa (O.P.), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 The petitioner seek regular bail in connection with Siwan Muffasil (Mahadewa O.P.) P.S. Case No. 210 of 2017, registered for offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 41(1)/30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 98 litres of liquor.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and has not been arrested on spot and further there is no compliance of Section 100 of Cr.P.C. Moreover, he has sufficiently been punished for the said offence as he has been in judicial custody since 03.07.2017 and though he is an accused in two more case, out of which one is similar as the present one but in that case also nothing was



recovered from the possession of the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -II, Siwan, in connection with Siwan Muffasil (Mahadewa O.P.) P.S. Case No. 210 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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