

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56889 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

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Om Prakash Singh, son of Bishwendra Mohan Singh, resident of Village Jajauli, P.S. Masharakh, District Chapra (Saran).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Bhagwanpur Hat P.S. Case No. 135 of 2017 dated 11.06.2017 instituted for the offences under Sections 272, 273, 308 of the Indian Penal Code and Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

From the F.I.R, it appears that the police on information that at the line hotel of the petitioner, illicit liquor in huge quantity is being unloaded, raided the hotel. Taking advantage of the darkness, the petitioner, one Ajay Rai and the driver of the vehicle in which the illicit liquor was loaded managed to run away. Later, in front of one local person, the Bolero vehicle was checked up and from there, about 1083 litres



of Indian Made Foreign Liquor was recovered.

Learned counsel for the petitioner submits that the line hotel which was being run by the petitioner in the past is now closed and for the last two years, it has been given on rent to somebody else. The house of the petitioner is situated at a distance of about two kilometers from the place of the aforesaid hotel. It has further been submitted that petitioner does not bear any criminal antecedent.

Regard being had to the fact that petitioner was not arrested at the spot and he does not bear any criminal antecedent and is in custody since 18.09.2017, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise, Siwan in connection with Bhagwanpur Hat P.S. Case No. 135 of 2017.

(Ashutosh Kumar, J)

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