

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20165 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -CHAPRA RAIL P.S. District- SARAN

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Surendra Kumar Son of Late Shankar Prasad, Resident of Village- Kayasth
Toli, Takiyapar, P.S. Danapur, District Patna..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chapra
G.R.P. S. Case no. 11 of 2017 registered for the offences
punishable under Section 30 (a) of Bihar Prohibition & Excise
Act, 2016 and Section 414 of the Indian Penal Code.

Allegedly, from the bag of the petitioner 29 bottles of
Royal Stage whisky each containing 750 ml., 60 grams of gold
metal, cash of Rs. 7350/- and journey ticket were recovered.

Submission is of false implication and that nothing
was recovered from conscious possession of the petitioner, the
petitioner is a labourer of S.V. Jewelers, Purana Chowk Buxar and
one day prior to the occurrence i.e. on 11.03.2017 owner of the
said S.V. Jewelers gave gold metal for making neckless and
bangles to the petitioner but he has been falsely implicated in this



case, the petitioner without any fault is suffering in custody since 13.03.2017 and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. (Railway) Sonapur, Saran in connection with Chapra G.R.P.S. Case No. 11 of 2017, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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