

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45035 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -MUSRIGHARARI District- SAMASTIPUR

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Md. Lalbabu @ Md. Kabiruddin son of Md. Rafique, Resident of village
Bathua Bujurg, P.S. Mushrigharari, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017

Heard the parties.

The petitioner seeks regular bail in connection with
Musrigharari P.S.Case nO.66 of 2017 registered for offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 38, 47 and 30(a), 38(1)(2) and 41(1) (2) of the Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of
168.420 ltrs. of liquor from the house of the petitioner.

Submission of the learned counsel for the petitioner is
that the petitioner has been falsely implicated in this case as he
was not present in the house and it is an open house. The
petitioner has no criminal antecedent and he has remained in
custody since 20.7.2017.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Musrigharari P.S.Case No.66 of 2017.

With following conditions :

- (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) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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