

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48431 of 2017

Arising Out of PS. Case No.-339 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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Umesh Rai son of Shankar Rai resident of Village- Barkurwa, P.S. Motihari
Muffasil, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-11-2017 Heard Sri Vijay Shankar Shrivastava, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Motihari
Muffasil P.S. Case No.339 of 2017 registered for the offence
under Sections 272, 237/34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act,2016, has
prayed for grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that
the petitioner has been made accused in the present case on the
basis of information given by spy and except such information,
there is no other cogent material to connect the petitioner.
Moreover, in the present case, recovery of about 5 liters of
Indian Make Foreign Liquor was shown. By way of referring to



the statement made in paragraph-3 of the petition, learned counsel for the petitioner submits that the petitioner is having clean antecedent.

Considering the fact that the petitioner has been made accused on the basis of information given by the spy, there is no other cogent material to connect the petitioner in the present case as well as clean antecedent, let the petitioner, namely, Umesh Rai, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Addl. Sessions Judge-cum- Special Judge, Excise, Motihari, East Champaran in connection with Motihari Muffasil P.S. Case No.339 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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