

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25784 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -KOILWAR District- BHOJPUR

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Bittu Kumar Tiwary, Son of Manoj Tiwary, Resident of Village-Barishwan,
P.S.-Shahpur, District-Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 15-06-2017 Heard Sri Ashok Kumar Singh, learned counsel for the
petitioner and Sri Zainul Abedin, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail in connection with Koilwar P.S. Case No. 18 of 2017 for offence registered under Section 39(A) and 56 (D) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the allegations as contained in First Information Report would show that this petitioner along with one Raju Kumar Yadav were caught hold by the Police while they were allegedly trying to flee away. Learned counsel further submits that the seizure has been made from the truck and this petitioner was simply there as an employee without there being any knowledge of the liquor kept in the truck. Learned counsel further submits that the driver of the truck has been granted regular bail in Criminal Miscellaneous No. 21283 of 2017 and the petitioner is



having no connection with the said truck or the liquors seized by Police. He has been languishing in jail since 31.01.2017.

Learned A.P.P. opposed the prayer for bail and submits that petitioner is involved in one more case being Koilwar P.S. Case No. 19 of 2017 under the Arms Act, however, learned counsel for the petitioner submits that the said case has been registered out of the same occurrence and in the said case the petitioner has been enlarged on bail.

Considering the facts and circumstances of the case as also the order of the co-ordinate Bench of this Court, let the petitioner above named be released 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 the Chief Judicial Magistrate, Bhojpur, Ara in connection with Koilwar P.S. Case No. 18 of 2017, subject to the condition under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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