

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26924 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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1. Babloo Paswan @ Bablu Paswan, son of Late Khokhai Paswan, resident of Village- Chichri Buzurg, P.S.- Raj Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in custody since 01.04.2017 in connection with Raj Nagar P.S. Case No. 55/17 for the offences alleged under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that on a secret information that four persons including the petitioner were indulging in sale of illicit liquor in the house of one Amarjeet Purvey, the police party raided his house and apprehended co-accused Amarjeet Purvey and Ranjan Kumar. On search 361.440 litres of foreign liquor was recovered from the house of Amarjeet Purvey. Accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated only on the basis of suspicion. He submits that nothing has been recovered from his conscious possession and he was not even present at the place of raid and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is submitted that one of the co-accused Ranjan Kumar, who was apprehended by the police along with another co-accused, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 23434 of 2017 on 23.05.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with Raj Nagar P.S. Case No. 55/2017.

(Nilu Agrawal, J)

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