

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35561 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -KORMA District- SEKHPURA

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1. Pintu @ Kumar Gaurav @ Pintu Kumar @ Gaurav, son of Anil Singh,
resident of Village- Abgil, Police Station- Korma, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Excise Case
No. 174/17, arising out of Korma P.S. Case No. 64/16 for offences
punishable under Sections 272, 273 of the Indian Penal Code and
Sections 30, 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during course of checking 142 litres of foreign
liquor was recovered from Bolero pick-up van. Three persons
were apprehended and one of the apprehended co-accused named
the petitioner to be involved in the aforesaid offence. Accordingly,
a seizure-list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, was not apprehended by the police



and nothing has been recovered from his conscious possession and except the confessional statement of the co-accused there is nothing against the petitioner showing his involvement in the present case. He submits that the petitioner has no criminal antecedent and that other co-accused have been granted privilege of bail by Co-ordinate Benches of this Court in Cr. Misc. No. 51504 of 2016 on 06.12.2016 and Cr. Misc. No. 1908 of 2017 on 28.01.2017 and that the petitioner is languishing in custody since 28.06.2017 and there is no compliance of Section 100 of the Cr. P.C.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 ADJ 1st, Sheikhpura, in connection with Excise Case No. 174/17, arising out of Korma P.S. Case No. 64/16.

(Nilu Agrawal, J)

Rajesh/-

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